

Appendix E—Comment Letters

Public Comment Card

US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS LAHONTAN BASIN AREA OFFICE, NEVADA

Please use this comment card to submit input regarding the Walker River Basin Acquisition Program and the Environmental Impact Statement (EIS). Please include any sources of relevant data or information that you feel may enhance this document. Comments must be received by December 10, 2007.

TO: Mrs. Caryn Hunt DeCarlo, Lahontan Basin Area Office, U.S. Department of Interior, Bureau of Reclamation, 705 N. Plaza St., Room 320, Carson City, NV 89701

FROM: Madeline Aeschliman 128 N. West St., Yerington, Nevada 89447

Date: December 1, 2007

COMMENT:

What happen if there is not enough willing sellers will a more equitable plan for leasing should be considered and looked at.

The measuring device for the 50,000 acre feet should be located in the area's last gate before leaving Mason Valley. The maintence of this system should be paid for by the federal government along with all the necessary upstream improvements to both the Smith Valley and Mason Valley systems in the Walker River Basin to make sure the remain landowners receive there water decree. Without this process it will make it almost impossible for the farmers to exist during a drought year.

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BUREAU OF RECLAMATION
Lahontan Basin Area Office

Public Comment Card

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Please use this comment card to submit input regarding the Walker River Basin Acquisition Program and the Environmental Impact Statement (EIS). Please include any sources of relevant data or information that you feel may enhance this document. Comments must be received by December 10, 2007.

TO: Mrs. Caryn Hunt DeCarlo, Lahontan Basin Area Office, U.S. Department of Interior, Bureau of Reclamation, 705 N. Plaza St., Room 320, Carson City, NV 89701

FROM: Madeline Aeschliman, 128 N. West St, Yerington, Nevada 89447

Date: December 1, 2007

COMMENT:

The Walker River Basin Acquisition is to sustain and improve Walker Lake for the wildlife, wildlife habitats and to enhance Mineral County and Hawthorns economic base.

By removing water from the Walker River Basin how will you sustain and improve the wildlife, wildlife habitats and enhance Lyon County and the Smith/Mason Valley's economic base in an equal and equitable way?

Will this be done by irrigation improvement such as water delivery systems, irrigation techniques, equipment improvements, measuring devices, river and creek channel enhancements, interruptible rate decreases, limited shrink, pumping directly out of the river areas, enhancements from piped ditch systems, tax deferments, depreciation credits for improvements, tax incentives.

By enhancing wildlife with this be in the form of a government program that will pay farmers similar to the CPR program in the state of Washington.

Will the Mason /Smith Valley areas be given grants to develop a water and sewer system in the core areas along with areas of potential water quality problems.

By depleting the economic base in the Mason /Smith Valley areas will their be grants and economic development for business parks, roads, parks, power (wind geothermal) plants, incentives by the United States Government.

Residents in these areas will need transportation systems such as airport improvements, train access, warehousing , manufacturing plants, jobs to replace the losses caused by the

For every action that is being done for Walker Lake will there be an equal positive enhancement for the Walker River Basin areas of Smith and Mason Valley.

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3. By E-mail to chunttdecarlo@mp.usbr.gov; or
4. By Fax to (775) 884-8376; or
5. If you have questions regarding the EIS or the process, please call Caryn Hunt DeCarlo at (775) 884-8352.

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PLEASE PRINT LEGIBLY

Name: KAREN M. AUBRO

Affiliation (if any): _____

Street Address: 155 LUCILLE DRIVE

City, State, Zip: WALKER LAKE, NV 89415 Date: 11-19-07

Comments: (Comments may be continued on the back or a separate sheet.)

Please - save Walker Lake from
drying out - It is so beautiful &
a wonderful place to live. The lake
is shrinking by the year & it is such
a shame

Comments must be received by November 26, 2007

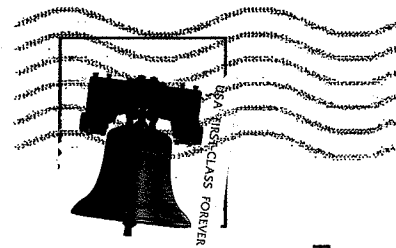
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Return Address:

Karen Ambro
155 Lucille Dr
Walker Lake NV
89415

RENO NV 895

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Lahontan Basin Area Office
U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

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The water available should be sufficient to satisfy the needs of all users in the Walker Lake Basin. Primary to accomplish this is accurate measurements for all diversions and wells to account for and police the users of water. No user should be able to use more than his or her allotment!

As a resident of the Walker Lake community I do not want the bed and banks of Walker Lake Community given to the Walker River Paiute Indian Tribe. We would like to see the Tribe take the bed and banks from the existing reservation down to and including Sportsman Park. Further we do not want any of the existing water rights of the Walker Lake Water G.I.D. to be involved in this transaction.

The following are important issues involved; I have circled the issues that are of interest to me personally:

- ①. Preserve Walker Lake as a recreation area for all people now and in the future.**
- ②. Preserve the existing water rights of the Walker Lake Water G.I.D.**
- ③. Exclude the bed and banks of the Walker Lake Community being given back to the Walker River Paiute Tribe.**
- ④. Enforce and Monitor all water diversions and water wells to make sure no user receives more than their allotment.**
- ⑤. Federal financing for development of ground water sources in the Hawthorne Army Depot Lands for either drinking water or to help maintain the level of Walker Lake.**
- ⑥. A co-coordinated study to provide solutions to meet the legal requirements for fire fighting and emergency services to rural communities.**
- ⑦. Waste Water Treatment Plants for Hawthorne and Walker Lake to help preserve Walker Lake water quality.**
- ⑧. Exclude the residents of Mineral County from being charged by the Walker River Paiute Tribe for using Walker Lake: Camping, Fishing, Boat Permits etc.**
- ⑨. Financial funding to improve the flow of water in the Walker River. Remove vegetation that consumes large quantities of water. Make necessary improvements to irrigation ditches to prevent water losses.**

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Lahontan Basin Area Office**

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WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS
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PLEASE PRINT LEGIBLY

Name: BARBARA ARNETT

Affiliation (if any): _____

Street Address: 10 FAIRWAY DR.

City, State, Zip: YERINGTON, NV 89447

Date: 12/2/07

Comments: (Comments may be continued on the back or a separate sheet.)

I think it was morally wrong for
Senator Harry Reid to change the
"Farm Bill". The original bill did not
allow "purchase of water rights".

You have stated that a major part
of the program will include purchase of

Comments must be received by November 26, 2007

irrigation water rights and is expected
to reduce acres of agricultural production,
I believe the United States should be
focusing on a program to increase
agricultural production to keep our
nation free.

I request the bureau for a "fair,
unbiased and comprehensive EIS."

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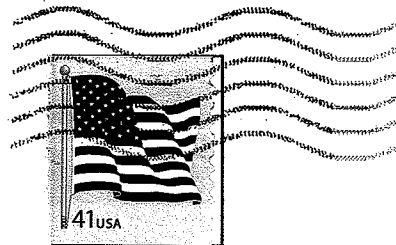


Mrs Barbara Arnett
10 Fairway Dr
Yerington NV 89447-2116

Luke 2:14

RENO NV 895

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Lahontan Basin Area Office
U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

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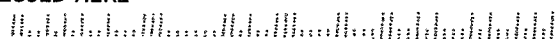
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Lahontan Basin Area Office

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PLEASE PRINT LEGIBLY

Name: THOMAS AUSTIN

Affiliation (if any): —

Street Address: 863 WALKER DR

City, State, Zip: WALKER LAKE, NEV Date: 11/19/07

Comments: (Comments may be continued on the back or a separate sheet.)

THE TRIBE ALREADY HAS ENOUGH
OF THE LAKE.

Comments must be received by November 26, 2007

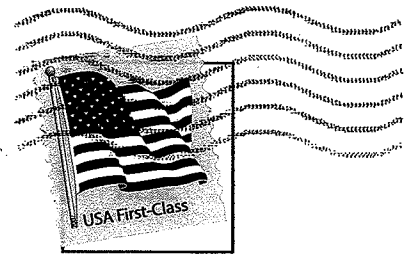
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Return Address:

863 WALKER DR
WALKER LAKE
NEV.
89415

RENO NV 895
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Lahontan Basin Area Office
U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

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Lahontan Basin Area Office

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To Whom It May Concern:

Foremost we want to preserve Walker Lake. Water is one of the most valuable resources of the State of Nevada. We do not want the Lake to turn in to another Mono Lake, CA or Owens Lake, CA.

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As a resident of the Walker Lake community I do not want the bed and banks of Walker Lake Community given to the Walker River Paiute Indian Tribe. We would like to see the Tribe take the bed and banks from the existing reservation down to and including Sportsman Park. Further we do not want any of the existing water rights of the Walker Lake Water G.I.D. to be involved in this transaction.

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6. A co-coordinated study to provide solutions to meet the legal requirements for fire fighting and emergency services to rural communities.
- ~~7. Waste Water Treatment Plants for Hawthorne and Walker Lake to help preserve Walker Lake water quality.~~
8. Exclude the residents of Mineral County from being charged by the Walker River Paiute Tribe for using Walker Lake: Camping, Fishing, Boat Permits etc.
- ~~9. Financial funding to improve the flow of water in the Walker River.~~
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PLEASE PRINT LEGIBLY

Name: ART BALBINI

Affiliation (if any): _____

Street Address: PO Box 1021

City, State, Zip: YERINGTON NV. 89447 Date: 10-23-07

Comments: (Comments may be continued on the back or a separate sheet.)

FROM AN INCOME AND TAXES STAND POINT. WALKER RIVER
WATER ~~IS~~ USED FOR IRRIGATION IN MASON VALLEY & SMOOK
VALLEY CONTRIBUTES MORE MONEY TO THE LOCAL & STATE
TAX INCOME - THAN IT WILL CONTRIBUTE TO WALKER
LAKE TAX INCOME
THIS IS JUST A SCHEME TO STEAL WATER FOR HIS DEONS

Comments must be received by November 26, 2007

IF IT IS NOT A SIGN, PUT IT IN WRITING - WITH A PAPER
SAYING NO EMERGENCY STATEMENT CAN REMOVE WATER FROM THE
LAKE

PLEASE FOLD IN HALF HERE

Return Address:

PO Box 1021
89447-1021

PLACE
POSTAGE
HERE

Lahontan Basin Area Office
U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

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DATE: Nov. 29, 2007

TO: Ms. Caryn Hunt DeCarlo
Lahontan Basin Area Office
U.S. Dept. of Interior
Bureau of Reclamation
705 N. Plaza St., Rm. 320
Carson City, NV 89701
Phone: 775-884-8352
Fax: 775-884-8376
Email: chunttdecarlo@mp.usbr.gov

RE: WALKER RIVER PUBLIC COMMENTS

Dear Ms. Hunt DeCarlo,

Attached, please find my comments regarding the Walker River Basin Acquisition Program and the Environmental Impact Statement.

_____, I request that personal identifying information which is included on this cover page, or in my attached comments, be withheld.

☒ I understand that my personal identifying information included on this cover page, or in my attached comments may be shared through the public review process.

Please contact me if you have any questions.

Signature: Sylvia Banta

Name: SYLVIA BANTA

Address: 70 E TOGNOLI LANE

City, State, Zip: YERINGTON NV 89447

Email: ~~MLW~~ MLW7331BMW@yahoo.com

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Lahontan Basin Area Office

PUBLIC COMMENTS

The EIS should address the effects of climate change on the determination of the quantity of water needed to achieve the goal of the legislation, and what data is being used to calculate these effects.

The EIS should provide information from tree ring analyses of water availability in the region, in its assessment of available precipitation and the resultant impacts on Walker Lake water levels.

The graph presented on the background handout at the scoping sessions was for a limited period; from 1872 to present. Walker Lake has gone dry several times during the last 10,000 years (Thomas, 1995). 1882 was a year of heavy precipitation. Have cyclical changes in precipitation be taken into consideration in evaluating the reasonableness of the proposed action?

The EIS should address the effects of global warming in the evaluation of the proposed action.

The EIS must analyze the percentage of flow lost by evapotranspiration between the headwaters and Wabuska Gage, and explain how the estimate regarding the percentage of lost flow was determined.

The EIS should comment on the selection of the evaporation rate used for calculating inflow requirements by UNR in the UNR Walker River Basin Program and the justification for selection of that rate.

Has the scientific community reached agreement on the evaporation rates to be utilized in the calculations of the most beneficial rights to acquire, as well as how much water is needed before noticeable results are produced in terms of environmental restoration? If not, how will the total water availability be established without factoring these rates?

What entity will hold ownership of the purchased water rights? In whose name will the water rights be held?

The EIS should contain analysis of whether the purchased water rights will be irrevocably dedicated, for what purpose, or if they may be sold or leased for other purposes.

If the project fails to achieve its goal of environmental restoration, how will the water be put to use to avoid waste?

If the project fails to achieve its goal of environmental restoration, what would preclude the holder of the acquired rights from selling them for municipal use to the highest bidder (i.e., private developers in high growth urban areas such as Las Vegas, Carson City, Reno, Fallon, and Dayton)?

The EIS should comment on the extent to which the EIS will contain information adopted from the Bureau of Land Management's Administrative Draft EIS (2001).

Was any pre-program analysis done to assess the likelihood that the program will be able to locate willing sellers in sufficient numbers to achieve the goal of increasing freshwater inflows to Walker Lake so as to achieve environmental restoration?

The EIS should comment on alternative actions for insuring large quantities of water will not be lost in the area between the Wabuska Gage and Weber Reservoir and between Schurz to Walker Lake, given the meandering nature of the river bed.

In assessing the proposed and alternative actions, consideration must be given to the potential conflict between the goal of the legislation and the United States' responsibility as trustee for the Walker River Indian Reservation lands. An increase in inflows into Walker Lake may require modification of the river channel. Environmental justice and sovereignty issues must be analyzed.

Will the EIS address the impact of Nevada Federal District Court Case C-125 B on the proposed acquisition of water rights, given the Tribe's and United States' claims to priority rights on the Walker River for reservation purposes? How can the acquisition program move forward when the status of water rights on the Walker River is subject to modification?

It is understood that the University of Nevada at Reno (UNR) is receiving funding through Public Law 108-7, Sec. 207 and Public Law 109-103, Sec. 208 for the acquisition program and to establish an agricultural and natural resource center, the mission of which is to undertake research, restoration and education in the Walker River Basin. The University is charged with making the acquisitions, and the Bureau is charged with analyzing the proposed action. What type of analysis will be performed by the Bureau to insure that the research that is being funded through this program will be objective, and not biased in favor of the proposed action, given the University's vested interest in maintaining this program?

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PLEASE PRINT LEGIBLY

Name: ELBERT H. BERGMANS

Affiliation (if any): WALKER LAKE ADVISORY BOARD

Street Address: 450 BETTY JANE DR

City, State, Zip: WALKER LAKE, NV Date: 9/19/07
89415

Comments: (Comments may be continued on the back or a separate sheet.)

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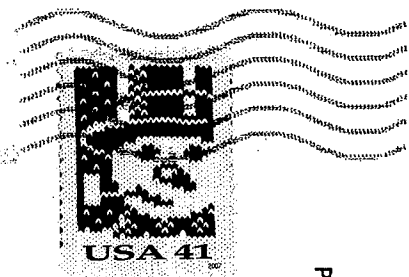
Return Address:



Elbert H. Bergmans
450 Betty Jane Dr.
Walker Lake, NV 89415-9684

RENO NV 895

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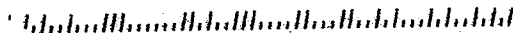
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U.S. Department of Interior
Bureau of Reclamation
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Carson City, NV 89701

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FROM: Gary & Sue Berrington, 7 Miller Ridge, Wellington, Nevada 89444

Date: December 1, 2007

COMMENT:

We have a Hay business that employees approximately 20+ workers that strictly deal with hay production. If this acquisition is not equitable for the landowners along with Businesses and Lyon County you will have lots of empty buildings and less taxes for this area along with land that is bare and worthless.

This will have a great effect on our business let alone many landowners who we deal with on a yearly bases. We will all need and equitable answer before any water is leased or moved out of the system.

Comments: (Comments may be continued on the back or a separate sheet.)

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2. By US Mail addressed to Mrs. Caryn Hunt DeCarlo, Lahontan Basin Area Office, U.S. Department of Interior, Bureau of Reclamation, 705 N. Plaza St., Room 320, Carson City, NV 89701; or
3. By E-mail to chunttdecarlo@mp.usbr.gov; or
4. By Fax to (775) 884-8376; or
5. If you have questions regarding the EIS or the process, please call Caryn Hunt DeCarlo at (775) 884-8352.

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PLEASE PRINT LEGIBLY

Name: ROGER BEZAYIFF
Affiliation (if any): RETIRED
Street Address: BOX 136
City, State, Zip: YERINGTON NV. 89447 Date: 10-23-07

Comments: (Comments may be continued on the back or a separate sheet.)

SENDING WATER TO WALKER LAKE
TO EVAPORATE MAKES NO SENSE.

Comments must be received by November 26, 2007

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Lahontan Basin Area Office
U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

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Public Comment Card

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Name: ROGER BEZAYIFF

Affiliation (if any): RETIRED

Street Address: BOX 136

City, State, Zip: YERINGTON NV Date: 11-19-07
89447

Comments: (Comments may be continued on the back of a separate sheet.)

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Lahontan Basin Area Office

Comments must be received by November 26, 2007

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US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION
WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS
LAHONTAN BASIN AREA OFFICE, NEVADA

[illegible]

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U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

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E I S Comments

1 The EIS should recognize and report on the adverse impacts to upstream water users in California. Any change in demand for water transferred, and resulting reduced return flow will directly affect the priority of the decree being served in both Nevada and California. It should be understood that any reduction in the overall supply will affect the priority of the decree being served both in Nevada and California. The Walker River is already over adjudicated and any further lessening of supply will adversely affect water users, especially junior water right holders, and storage right holders in both states.

US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION
WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS
LAHONTAN BASIN AREA OFFICE, NEVADA

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PLEASE PRINT LEGIBLY

Name: ANGELA BLAKEMORE

Affiliation (if any): _____

Street Address: 375 Debbie Dr.

City, State, Zip: WALKER LAKE NV Date: 11-18-07
89415

Comments: (Comments may be continued on the back or a separate sheet.)

Comments must be received by November 26, 2007

11 horizontal lines for address or message.

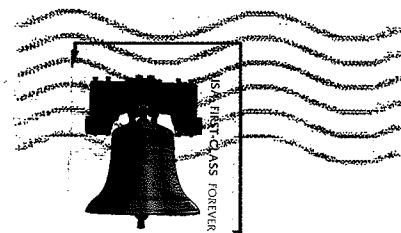
PLEASE FOLD IN HALF HERE

Return Address:

Ms. Angela Blakemore
375 Debbie Dr.
Walker Lake, NV 8941★

RENO NV 895

20 NOV 2007 PM 2 1



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Lahontan Basin Area Office
U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

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Lahontan Basin Area Office

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8970184066 0003



To Whom It May Concern:

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- ⑦. Waste Water Treatment Plants for Hawthorne and Walker Lake to help preserve Walker Lake water quality.**
- ⑧. Exclude the residents of Mineral County from being charged by the Walker River Paiute Tribe for using Walker Lake: Camping, Fishing, Boat Permits etc.**
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US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION
WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS
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PLEASE PRINT LEGIBLY

Name: William & Anita Bray

Affiliation (if any): _____

Street Address: 119 Mallet Walker Lake

City, State, Zip: Hawthorne, Nev 89415 Date: 11-18-07

Comments: (Comments may be continued on the back or a separate sheet.)

Comments must be received by November 26, 2007

Return Address:



Mr. William Bray
P.O. Box 1870
Hawthorne, NV 89415

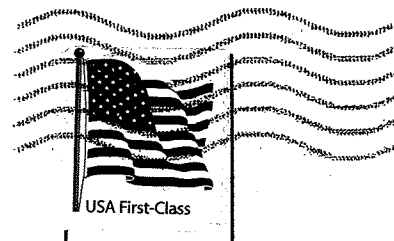


Mrs. Anita Bray
PO Box 1870
Hawthorne NV 89415

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RENO NV 895

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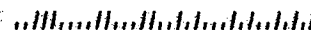
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U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

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65-471-1000



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Lahontan Basin Area Office**

US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION
WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS
LAHONTAN BASIN AREA OFFICE, NEVADA

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PLEASE PRINT LEGIBLY

Name: JOEL W BROWN

Affiliation (if any): _____

Street Address: 165 Pete Henrichs RD

City, State, Zip: Yerington NV 89447 Date: 10/23/07

Comments: (Comments may be continued on the back or a separate sheet.)

De Salination should be done first.
1882-1962 the lake dropped 100' in 80 years
TDS Rose by 4,000 ppm

Comments must be received by November 26, 2007

[illegible]

Return Address:

PLACE
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HERE

Lahontan Basin Area Office
U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

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STATE OF NEVADA

DEPARTMENT OF WILDLIFE

1100 Valley Road • Reno, Nevada 89512
(775) 688-1500 Fax (775) 688-1595

MEMORANDUM

DECEMBER 7, 2008

To: Caryn Hunt DeCarlo, Bureau of Reclamation

From: Elmer Bull, Nevada Department of Wildlife

Re: Comments on Walker Lake water acquisition EIS

On behalf of the Nevada Department of Wildlife, I would like to offer the following comments relative to the Environmental Impact Statement that is being written for the water acquisition program on the Walker River.

There are a couple of factors that deserve evaluation including:

- The lack of a duty on decree flows results in diminished quantities of water reaching the lake in years when runoff flows are abundant. Certainly one of the keys to improving conditions at the lake is to maximize inflows during "big" water years and the lack of a duty on decree flows impedes that process.
- Any attempts to deliver more water to the lake will be for naught if issues are not resolved with the Walker River Paiute Tribe. At this time, the Federal Watermaster has no jurisdiction over Tribal use of water in the system and that has certainly affected flows to the lake. Efforts must be made to appropriate an established amount of water for Tribal use with the balance being allowed to flow through to the lake.

Thank you.

From: Caryn HuntDeCarlo [CHUNTTDECARLO@mp.usbr.gov]
Sent: Monday, November 26, 2007 8:26 AM
To: Ellen Unsworth; Russell Grimes
Subject: Fwd: Public Comment Card-Walker Lake

>>> "The Bunch's" <glen-mar@thebunch.hawthorne.nv.us> 11/25/2007 8:03 PM >>>

Name: Glenn and Marlene Bunch
Affiliation: Walker Lake Working Group
Street Address: 194 B St, Box 984
City, State, Zip: Hawthorne, NV 89415

Comments:

Our feelings for the Environmental Impact Statement is very deep and sincere. Having been a member of Walker Lake Working Group since it's beginnings, We have traveled a trail of heart break and astonishments.

It goes beyond our valley, in fact in goes beyond any of the associated banks of the Walker River System. Hopefully, in these next few paragraphs, I can relay to you the many thoughts and desires that can only come from someone so fearful of losing this precious resource.

I would like to say the problem began in 1936 with C125. I don't believe that anyone at that time had in their wildest dreams any concept that the upstream river diversions would ever expand to the point that it has today. And with this document and the fact that all the water is allocated by the time it reaches Schurz is a grave violation of the Public Trust Doctrine. But needless to say, it was allocated and it has been diverted to the point that our beautiful lake is being choked of it's livelihood. Strangled of it's very chance to survive.

That blame cannot be put onto any of the upstream farmers and ranchers who honestly did not have a clue of what the reality of their diversions was causing down stream. They only saw the river running past their property and only saw the value that it could give to their desert lands. After all, what's a little diversion here and a little diversion there? But in reality it was a big catastrophe. But they weren't the only cause. The decree said they could have it and so it was chipped away and broken up and soon, the water was all gone by the time it reached Schurz. Just as C125 said it should. So I can't really blame these folks, as this is the way of life in the Mason and Smith Valley's.

You can stand in Yerington and look to the mountains in the East and there in no reality that there is a life over there that is starving to survive. That's Walker Lake. It carries the brunt of so many mistakes over the years. And now, it is time to correct to mistakes and everyone says "Not Mine"

So what's going to happen? If water does not come to the lake, then we have an Owens's lake issue. It has already started to a small degree.

With the water receding to it's current lever, it has become a larger area of dry lake bed along it's shore lines. When the winds blow, it now becomes a great dust storm. Respiratory problems have increased over the past few years for the residents of Hawthorne and the town of Walker Lake.

Also the Economic impact has been a big factor. While Mason and Smith Valley's economics has increased, Mineral County's has decreased by the poor quality at Walker Lake. There used to be two sporting goods stores in Hawthorne. Now there are none. There used to be camping at

the lake by the hundreds. I have a picture of 20 mile beach when there was over 150 camped there over a 4th of July weekend. Last year there were only 8 campers. And the reason is that the water has receded so and the access is getting harder and harder to get to the lake that you just can't get there unless you have extra vehicles to help pull you to the lake and to help pull you out. Plus with the water quality getting poorer, a lot of boat owners do not want to put their boats in the water as the increased minerals corrodes their engines. Now we have loss of food sold at the stores, loss of fuel sold at the gas stations and just simply a loss of revenue. Also with the poor fish survival rate, there has not been good fishing at the lake. This is because the TDS levels are getting so high that the fish can't survive. So NDOW and the Federal Fisheries are only putting a token 10,000 fish in the water as they know most of them are going to die by morning. Before in the past the average amount of fish plants were from 250,000 to 400,000 fish each year. Now we have lost anglers coming to the lake. These anglers used to buy gas, food, fishing supplies, and fishing license. This brings up another issue. Do you realize that a person cannot even purchase a fishing license in Mineral County because there are no licensed agents in town anymore. Remember earlier, both Sporting Good Stores are closed. And why is this? Because the fishing is so bad at the lake because of all the upstream diversion and now the fish are dying and stores are dying the Lake is dying.

And on another aspect of economics. We have had several business investors look at the lake for a possible development of a lakeside casino. But with the possibility of not having a lake left, they have all pulled up and left for more profitable ventures. So we have been robbed of growth because of upstream diversions.

So now here we are trying to fix a problem that has been created by people that have long since been gone. When we started working on this problem, at no time did we say we wanted to put everybody out of business on their ranches. But how can we all work more economically and sustain all the realities that we set out for but more efficiently. How can everybody give a little bit and achieve a lot? Right now, when a ranch saves water they instantly develop more land because they still have water left. With current water law, it's the use it or lose it attitude. So they use it, or should I say "Waste" it in many ways so they don't lose it. How can it be turned around to don't use it and get rewarded for conservation.

I also have concerns with the Walker River Piute Tribe. The inconsistency of their tribal council makes me have many worries of making for sure the water will get through Schurz. What monitoring devices can be put into the system in the lower portions of the river to assure that when the water gets allocated to the lake that it does in fact reach the lake? I remember at one time there was a test of 10,000 acre feet of water that was going to be released to see how much it would get to the lake. Everything was all set to go. It was going to be an October release. At the last minute and I want to say it was like one day before the release, the tribe reported that if it got to the reservoir that it was their water and they would not release it through the dam to the lake. What if this happens again? How can we make for sure that what is entitled to the lake actually gets here?

I feel there is not enough monitoring on the river system. I feel there are errors in the water calculations and controls. It needs to be more accurate. I feel there needs to be more than one person in charge of the water system. There needs to be 2 Federal water masters, not one. And I also feel they should NOT be in the WRID office. The office should be in a separate and impartial office. They have an obligation to more than just the Mason and Smith Valley's. There is a life at the end of the river and it's survival depends on honesty, integrity and water.

So there is our concerns. We have been part of meetings and studies on this river system since the early 1990's and personally, I feel we have been studied to death. It's time to

make something happen. The millions of dollars that has been spent on studies and attorney's could have purchased more than enough water. So now let's make it happen. Time is going fast. The lake is dieing. It's time folks. Let's get it done.

Mono County

Community Development Department

P.O. Box 347
Mammoth Lakes, CA 93546
(760) 924-1800, fax 924-1801
www.monocounty.ca.gov

P.O. Box 8
Bridgeport, CA 93517
(760) 932-5420, fax 932-5431
www.monocounty.ca.gov

December 7, 2007

Caryn Hunt DeCarlo
U.S. Bureau of Reclamation
705 No. Plaza Street, Room 320
Carson City, NV 89701

Dear Ms. DeCarlo:

Thank you for the opportunity to comment on the scope of the Walker River Project Environmental Impact Statement (EIS). We understand that "the goal of the program is to acquire water rights sufficient to increase the long-term average annual inflow to Walker Lake by up to 50,000 acre-feet." According to scoping documents, "although acquiring water rights from California is not a part of the project, impacts on California will be analyzed." Your consideration of the following items would be appreciated:

- The EIS should consider how any changes to agriculture and the economy in Smith and Mason valleys in Nevada would affect agriculture and the economy in nearby Mono County communities, particularly Topaz, Coleville, Walker, Swauger Creek and Bridgeport.
- To the extent the acquisition program will affect operations of Bridgeport and Topaz reservoirs, which are covered by California water right licenses, the Walker River Irrigation District will have to seek approval of the proposed changes from the California State Water Resources Control Board and thus comply with the California Environmental Quality Act.
- If Bridgeport Reservoir operations may be changed by this water acquisition program, the EIS should assume this reservoir will continue to be operated as per the California State Water Resources Control Board's Order WR 90-18, the Bridgeport Reservoir Operations Manual (Walker River Irrigation District, December 4, 1991), and the 1993 settlement agreement between the California Department of Fish and Game and Walker River Irrigation District.
- If Bridgeport Reservoir or Topaz Reservoir operations may be changed by this water acquisition program, the EIS should consider how these changes would affect fish and wildlife downstream and recreation in these reservoirs.
- The EIS should consult the Mono County General Plan, which includes a number of goals and objectives for the protection of our natural resources, including scenic, agricultural, recreational and water resources .

If you have any questions concerning these comments, please contact either Stacey Simon at (760) 932-5418 or Scott Burns at (760) 932-5423.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Burns", written in a cursive style.

Scott Burns
Director

cc: Mono County Board of Supervisors
Stacey Simon, Assistant County Counsel

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DEC 14 2007

BUREAU OF RECLAMATION
Lahontan Basin Area Office

US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION
WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS
LAHONTAN BASIN AREA OFFICE, NEVADA

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PLEASE PRINT LEGIBLY

Name: JUNIOR L. WILLIAMS + BEVERLY BURROW

Affiliation (if any): _____

Street Address: 245 N. BETTY JANE DR

City, State, Zip: WALKER LAKE, NV 89415 Date: 11-20-07

Comments: (Comments may be continued on the back or a separate sheet.)

THE INDIANS DON'T NEED ANYMORE OF
WALKER LAKE. OUR WATER AT WALKER LAKE
ISN'T FIT TO DRINK. WE HAVE BEEN
BUYING DRINKING WATER SINCE WE MOVED
HERE IN 1964

Comments must be received by November 26, 2007

PLEASE TAPE CLOSED HERE

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Lahontan Basin Area Office
U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

Williams & Burrow
245 N. Betty Jane Dr.
Walker Lake, NV 89415

Return Address:

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**BUREAU OF RECLAMATION
Lahontan Basin Area Office**



Nevada Farm Bureau Federation

2165 Green Vista Dr., Suite 205, Sparks, NV 89431

Phone: (775) 674-4000

Mrs. Caryn Hunt DeCarlo
Bureau of Reclamation
705 N. Plaza St. Room 320
Carson City, NV 89701

In Regard To Public Scoping For EIS For Walker River Basin Acquisition

We are writing today with input for the Bureau of Reclamation's National Environmental Policy Act (NEPA) Environmental Impact Statement (EIS) process for the Walker River Basin Acquisition Program. We strongly encourage the comments submitted here be included in development for this important document. We would also like our comments to be included in the public record for this process.

Nevada Farm Bureau is a general farm organization with several hundred of our farm/ranch families impacted by the decisions related to the proposed action of acquiring water for Walker Lake. Because of this position as affected interest, we believe that due consideration be given to the property rights (land and water) as well as the livelihoods of our members.

EIS Process and Proposed Actions:

Our initial perspective, which we seek to have covered by an explanation in the EIS document, relates to the context of this analysis.

In the Federal Register Notice of Intent to Prepare An Environmental Impact Statement, the stated actions indicated... *"The actions to be analyzed in this EIS will be the purchase of water rights and related interests from willing sellers in the Walker River Basin, Nevada."*

While attending the scoping meetings and receiving the support material, we noted on the handout, "Frequently Asked Questions" two questions and the answer to each...

Will property owners be able to retain partial water rights?

Willing sellers may choose to offer up all or some of their water rights. The University then will decide whether to move forward with the purchase of the water rights.

Will the University both buy and lease water rights?

The University is considering applicable long-term leases, but prefers buying water rights because of the permanent nature of the commitment to transfer water to Walker Lake.

In regard to the first question/answer, please describe the legal basis and perspective which will allow a water right to be fragmented as described in this “sample response”.

Also, in both of the answers the inference is that the “University” is the entity responsible for making decisions regarding acquisition.

Based on this assumption, please explain the context and linkage of how the Bureau of Reclamation is conducting the EIS evaluation, but the University (not bound by NEPA requirements) is making the decisions of what actions will be taken. How does this correlate with the context the Bureau of Reclamation’s requirements for conducting and EIS? What is the “action” to be taken by the agency responsible for the EIS?

We also would like to have explained the level of responsibility the University has in adhering to the findings of the Draft EIS. Please detail all of the legal relationships and connections which relate to the EIS being prepared by the Bureau of Reclamation and the University of Nevada System making the decisions about water purchases. If the EIS is to be challenged; is the Bureau of Reclamation responsible or is the University of Nevada the entity to be engaged?

We would like to emphasize, for the record, our concerns that this EIS process is not the decision tool intended by NEPA – or by the requirements of the Bureau of Reclamation’s own manual pertaining to EIS development. Instead, we are apprehensive that this document and process is a formality conducted to justify a pre-determined course of action – that somehow by going through this charade a façade of legitimacy will be created for the purchase program.

Because of the way the arrangements are constructed, with the University of Nevada being involved and the nature of this involvement, we believe that this EIS is not an honest evaluation and analysis of alternatives.

As part of the requirements for the scoping process, we request that the Draft EIS identify the entity which will own and maintain ownership of acquired land and appurtenant water rights. Ownership and the responsibilities the “owner” are critical issues that need full disclosure and attention. To this point, so far there has been no announcement on who will own the acquired land and appurtenant water rights, should the decision be made to go forward with acquisition.

Background Information Request – Desert Lakes Program:

The 2002 Farm Bill was the original funding (\$200 million) for the proposed acquisition of Land and Appurtenant Water Rights for delivery of water to Walker Lake. This funding was directed to the Bureau of Reclamation’s “Desert Lakes” program. The Congressional directive also included provisions that none of the funds were to be used for acquiring lands or water. We urge that a full disclosure be presented on how funding for the Desert Lakes has been spent thus far.

We hope that we will be able to learn how this program has been operated with accomplishments documented as background leading into the stage of how the \$70 million of funds were re-appropriated and the intent of Congress was by-passed to be used for purchase of lands and water.

Authority To Change Legislation:

Through the explanation of how the process has arrived at the point of acquiring land and appurtenant water rights we hope that documentation can be provided to detail the authority given to make decisions beyond the specifics spelled out in the authorizing legislation.

We request details concerning the legal authority to make changes in the program's operation which suggest that only water might be included in the transaction – as opposed to the directive of the legislation which calls for “*land, water appurtenant to the land and related interests in the Walker River Basin, Nevada*”.

We also want to learn where the related research facility will be located. In addition to “acquiring land, water appurtenant to the land...” the authorizing legislation states that the funds are to be used...

(B) to establish and administer an agricultural and natural resources center, the mission of which shall be to undertake research, restoration, and educational activities in the Walker River Basin relating to –

- (i) innovative agricultural water conservation;*
- (ii) cooperative programs for environmental restoration;*
- (iii) fish and wildlife habitat restoration; and*
- (iv) wild horse and burro research and adoption marketing*

Because of the interconnection between the acquisition program and the research facilities, we believe that a full explanation be provided in the Draft EIS how the full implementation of the authorizing legislation will be carried out.

Proposed Lease/Water Management Alternative For Evaluation:

In addition to the likely “Preferred Alternative” of Acquiring Land and Appurtenant Water Rights for delivery of water to Walker Lake, we request formal consideration be given to a Lease/Water Bank Alternative.

We believe this alternative should be based on outlining a program, operated by the Walker River Irrigation District, to manage the lease program as well as deliver a specified annual amount of water to Walker Lake. The water would be acquired through a lease program with variable terms for the length of time a water right owner would forgo use of their water on their land. The length of these lease agreements could cover three, five and ten years.

Reimbursement for leases should be weighted to provide for greater levels of payments for those who make longer-term commitments to provide water for Walker Lake.

Analysis for this alternative needs to include input from the Nevada Water Engineer in regard to whether this type of lease of water would violate beneficial use in the context of state water law.

We believe the stipulations for this lease alternative should permit rotational production of idled lands, but should not allow for supplemental ground water from wells replacing Walker River water, leased for delivery to Walker Lake.

The Klamath Water Bank program may provide a possible model and source for information for evaluating environmental, economic and social consequences of a lease approach.

Should the findings of this option meet the requirements for annual water deliveries to Walker Lake and offer positive benefits for economic and social components, we would urge that this Alternative be designated as the "Preferred Alternative".

Proposed No Action Alternative For Evaluation:

In addition to a Lease/Management alternative, we strongly maintain the importance of providing a status quo alternative, evaluating the merits and strengths of not doing anything to replace private ownership of lands and appurtenant water rights.

This "No Action Alternative" should be based on actual outcomes and include base-line data of environmental, economic and social values that occur in the upper watersheds with as much weight given to conditions throughout the Walker River system as the terminal lake at the end of the system.

We encourage the Draft EIS provide data which reports the amount of water reaching Walker Lake over the past 50 years. This information would be most helpful if it offers details on a year-by-year basis.

Proposed Alternative To Acquire Water From Other Sources:

In addition to the other alternatives we have detailed so far, we also believe another reasonable option which should be included in the Draft EIS, is an alternative which looks into alternative sources for water to go to Walker Lake.

Water sources from ground water, Whiskey Flats and other non-Walker River sources should be covered as an alternative in the evaluation.

While irrigation use of water is most often blamed for reduced water flow to Walker Lake, it is very likely that watershed condition for the length of the Walker Rivers need attention. We urge that a report be included in the Draft EIS on how enhancement of the watershed could increase the amount of water available for delivery to Walker Lake.

Proposed Acquisition Alternative:

While we believe that the bias for this approach will be given an inappropriate level of consideration and is most likely the Alternative which has been established as the outcome with or without an EIS evaluation – we maintain the importance of addressing our concerns with balanced assessment and documented anticipation to be used for measuring performance.

Hollow promises or inflated benefits of acquiring lands and appurtenant water rights from willing sellers will serve as testament to the validity of the manner in which this NEPA will be conducted.

Examples, like the U.S. Forest Service and their actions to acquire land and appurtenant water rights of the Rosachi Ranch near Wellington, NV serve as stark reminders of what happens to productive lands when federal funds are used to buy out private owners.

Concerns To Be Addressed In EIS Under Acquisition Alternative:

“Purchase of lands and appurtenant water rights”...Public Law 109-103 spells out specifically that the \$70 million allocation to the University of Nevada is –

to acquire from willing sellers land, water appurtenant to the land, and related interests in the Walker River Basin, Nevada; and...

Based on the details spelled out in the law, the requirement would imply that purchases would maintain the connection of land, water and related interests. The Draft EIS needs to clarify the implied authority/approach (as noted in the “Frequently Asked Questions”, distributed at the EIS scoping meetings) that water rights, alone, might be the basis for acquisition.

If acquisition of water rights, without land or related interests, is the approach to be taken, details of the EIS should clearly spell out the mitigation action required, prior to transfer, to establish cover vegetation preventing erosion and weed infestation.

The Draft EIS should also clearly spell out the legal ability of a willing seller, selling appurtenant Walker River water rights, and then applying supplemental ground water to the lands which have had the appurtenant water rights removed. If this is the anticipated or possible outcome of a transaction involving water rights only, the analysis of such a potential needs to be covered.

The Draft EIS should provide a definitive statement of policy by the Nevada Water Engineer of how supplemental ground water fits into “appurtenant water rights” in the Walker River system.

“Resource Management Plan – Acquired Land”... In the detailed outline of plans for the “Acquisition Alternative,” we urge inclusion of a comprehensive management plan, detailing the provisions of how acquired land and water resources will be managed.

Whoever or whatever entity will acquire property title to land and appurtenant water rights and related interests, should be required to submit documentation to be included in the Draft EIS as to their proposed plans for management of the property they acquire.

These details should establish whether they will take responsibility for property taxes and related Maintenance and Operation charges associated with the Walker River Irrigation District’s delivery system.

“Resource Management Plan – Acquired Water”... The proposed management plan should also address the anticipated delivery schedule to be used in taking acquired water to Walker Lake.

As part of the proposed resource management plan, please describe, in detail, how Weber Reservoir might fit into the process of water moving to Walker Lake. This description of use should also detail the legal background relating to the amount of water permitted to be stored in this reservoir and how management authority over the reservoir will relate to water moving into Walker Lake.

There should also be clearly documented protection measures which indicate how water right owners, who do not sell land and appurtenant water rights and related interests, will not have their rights negatively impacted by these acquisitions. Any and all negative impacts to those not involved in acquisitions should be spelled out with alternatives for potential mitigation actions to offset these negatives.

“Ability Of River System To Deliver Water To Walker Lake”... The EIS needs to report on the anticipated ability of the Walker River system (especially the lower end of the riparian system) to deliver acquired appurtenant water to Walker Lake.

This information should provide the scientific evidence regarding the expected amount of water to reach Walker Lake through the river system.

The intention of this proposed acquisition of water rights, suggest that Walker Lake will benefit from the infusion of additional water. Water coming into the lake will carry dissolved solids which will be left behind when the water evaporates. Please describe the scientific evidence which backgrounds the value of additional water reaching the lake, amounts of water required and the results of additional dissolved solids being left behind when evaporation takes place.

Based on the conditions of the lower Walker River system, please describe the methods and monitoring systems which will be used to evaluate and publicly report the quality of water reaching the lake.

We also maintain that an on-going reporting system needs to be established to provide, using a metered system, the actual amount of water delivered to the Lake. This information should be distributed to public media outlets in Northern Nevada with details on the efficiency of the river system in delivering acquired water to Walker Lake.

“Different Water Rights – Different Consequences”... We don’t believe that this EIS process can be conducted on a “programmatic basis” without dealing with the specific nature of different types of water rights in the Walker River system.

Because of the variety of the water rights in the Walker River system, not all water rights will have the same implications for water delivered to Walker Lake. At the same time, the results of water purchased will have different ramifications for water right owners who do not sell.

We strongly maintain that further analysis is required, on a case-by-case basis depending on the specifics of the water rights that are purchased. Without dealing with actual details of the water right, which has been purchased, how can complete scrutiny be given to the ability of the water right to deliver actual water to Walker Lake? Likewise, how can an evaluation be given to the impacts of the loss of water from up-stream uses without the actual water right in question being used to complete the assessment?

“Research Data Used – Conflict of Interest”... It will be necessary for all background data used in the preparation of the EIS to be identified as to its source. Information used, submitted, or provided by the University of Nevada System, through any research they have been associated with must be labeled as such.

Because of the University System’s involvement in this project (especially because of their direct relationship with the acquisition of water) any data they or those associated with the institution provide can only be perceived as tainted by a conflict of interest.

Because of the conflict of interest that exists, we strongly suggest that nothing connected to the University System be included in the analysis for any of the alternatives being considered.

“Beneficial Use”... If the University of Nevada System will be the owners of the water right, how will they be able to legally put the water they acquire to beneficial use in Walker Lake? They do not own the lake nor do they have management authority over it – within the context of Nevada Water law, please detail the ability the University System has to own and maintain a water right for the purpose of the water entering Walker Lake.

“Impacts To Other Water Right Owners” ... Details need to be presented on how water right owners, who don't sell their water rights, will be protected from having their rights impaired by a sale of water rights geared for delivery to Walker Lake.

How will the current decree be impacted by water rights acquired for delivery to Walker Lake? Describe how water as part of a storage water right will be dealt with. This background information should also describe how water not leaving the river will impact water rights for those who are not involved in the program.

The law states that water will be acquired from only willing sellers – this means protections need to be included to prevent taking water from those who are unwilling to participate.

In no way should water rights, acquired through the acquisition process, be permitted to negatively affect other water right owners because of an enhanced status related to being acquired for the benefit of Walker Lake.

In detailing the ramifications of water rights being moved to use in Walker Lake, we believe it essential that an in-depth evaluation be given to property values along the entire reach of the Walker Rivers be analyzed in light of the change.

This data and analysis should be included in the effects of the social and economic impacts in each of the alternatives provided in the Draft EIS. Again background data on how the information was developed should be identified and any research of this nature should not come from the University of Nevada because of their bias and conflict of interest.

All aspects of mitigation efforts should be clearly defined as part of the EIS document.

“Legal Process For Transfer”... There is currently a high level of litigation surrounding water rights along the length of the Walker River system. Please indicate in the EIS how water rights under the cloud of litigation can be included in possible sale or other types of transactions. Does the purchaser of the water right or entity acquiring water right also receive the responsibility of the litigation attached to the water right? Does the litigation need to be resolved prior to any transfer of ownership of the water right(s)?

As part of the details involving movement of water to Walker Lake, please detail in the Draft EIS the methods to be used for transfer of rights. This should include a complete description of how the change of use will occur and where the water right will be put to beneficial use.

Will the transfer of the water right include the entire water right...or just the consumptive use?

“Compliance With Lyon County Ordinances”... Lyon County ordinances provide for protection of existing water rights and water uses in the county. We believe the EIS analysis needs to explain and address any short-comings the acquisition program could have in complying with Lyon County Ordinances.

In Closing:

We look forward to a complete and honest evaluation of the various alternatives in the Draft Environmental Impact Statement.

As we have shared throughout our scoping comments/input, this analysis needs to cover the entire reach of the watershed with a complete evaluation given to the upper reach as well as the impacts of each alternative to Walker Lake.

We also wish to repeat our contention that a complete resource management plan needs to be included in the evaluation of scenarios presented in the Draft EIS. The cumulative impacts of intended actions have a ripple effect on others and need to be fully documented in order for a complete picture of what was evaluated to be determined.

Thank you for this opportunity to participate in this public process.

Sincerely,

Doug Busselman
Executive Vice President

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Lahontan Basin Area Office

US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION
WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS
LAHONTAN BASIN AREA OFFICE, NEVADA

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2. By US Mail addressed to Mrs. Caryn Hunt DeCarlo, Lahontan Basin Area Office, U.S. Department of Interior, Bureau of Reclamation, 705 N. Plaza St., Room 320, Carson City, NV 89701; or
3. By E-mail to chunttdecarlo@mp.usbr.gov; or
4. By Fax to (775) 884-8376; or
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PLEASE PRINT LEGIBLY

Name: KEITH & SUSAN CALDWELL

Affiliation (if any): _____

Street Address: 139 DEYNA DR.

City, State, Zip: WALKER LAKE, NV. Date: 8/9/15

Comments: (Comments may be continued on the back or a separate sheet.)

THE PRESERVATION OF THE WALKER LAKE
LEVELS, TO MAINTAIN AND INCREASE THESE
WATER LEVELS NEEDS EMERGENCY STATUS
TO DO ANY AND EVERYTHING POSSIBLE TO
ADDRESS THE DECLINING WATER SHORTAGE IN
WALKER LAKE.

Comments must be received by November 26, 2007

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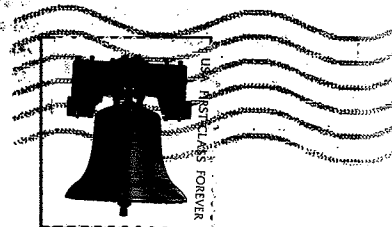
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Return Address:

139 DENYA
WALKER LAKE NV
89415

RENO NV 895

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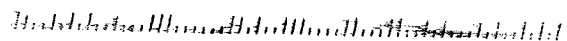
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Lahontan Basin Area Office
U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

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To Whom It May Concern:

Foremost we want to preserve Walker Lake. Water is one of the most valuable resources of the State of Nevada. We do not want the Lake to turn in to another Mono Lake, CA or Owens Lake, CA.

The water available should be sufficient to satisfy the needs of all users in the Walker Lake Basin. Primary to accomplish this is accurate measurements for all diversions and wells to account for and police the users of water. No user should be able to use more than his or her allotment!

As a resident of the Walker Lake community I do not want the bed and banks of Walker Lake Community given to the Walker River Paiute Indian Tribe. We would like to see the Tribe take the bed and banks from the existing reservation down to and including Sportsman Park. Further we do not want any of the existing water rights of the Walker Lake Water G.I.D. to be involved in this transaction.

The following are important issues involved; I have circled the issues that are of interest to me personally:

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US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION
WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS
LAHONTAN BASIN AREA OFFICE, NEVADA

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PLEASE PRINT LEGIBLY

Name: Vern J CALHOUN

Affiliation (if any): —

Street Address: 758 Walker Dr

City, State, Zip: Walker Lake, Nv 89415 Date: Nov 17, 07

Comments: (Comments may be continued on the back or a separate sheet.)

Attached —

Comments must be received by November 26, 2007

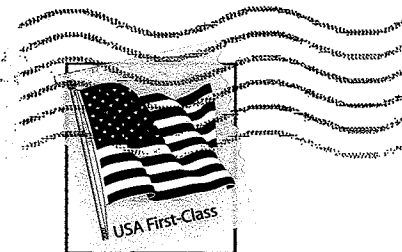
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Return Address:

M.P. Calhoun
758 Walker Dr
Walker Lake NV
89415

RENO NV 895
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Lahontan Basin Area Office
U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

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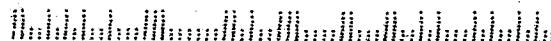
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Lahontan Basin Area Office

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Bureau of Reclamation
Attention: Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

December 3, 2007

Re: Walker River Basin Project

I am writing regarding the impact the WALKER RIVER BASIN PROJECT would have on Mason and Smith Valleys. The 2002 Farm Bill addressed desert terminal lakes, but left out any mention of purchasing or leasing water rights, but Senator Reid changed that in the appropriations bill to include water right purchases from willing sellers. Reid also seems to have a conflict of interest by giving UNR the money to purchase water rights and also conducting the environmental impact study. He certainly does not seem to have the interests of citizens of these valleys in mind. Even though sellers provide water, there is no certainty that 50,000 acre feet will ever reach the terminal desert lake Walker. Evaporation would greatly affect this outcome. The farmers may not always be allocated their total allowance due to dry years.

Jim Sanford has informed us for several weeks in great detail concerning this Project in articles in The Mason Valley News. This has been so helpful. He named alternatives for procuring water from Whiskey Flat, Cottonwood Creek, and near Schurz. Whiskey Flat Ranch water rights were for sale around 1994-95. Senator Reid did not pursue this.

Most importantly, the economic impact upon these valleys if water rights are sold are: The farming and ranching lifestyles of these valleys would literally dry up. The loss of irrigation water would impact the domestic wells, reducing groundwater. Flora and fauna next to the river would be seriously affected. The loss of the farming and ranching communities would impact other businesses and the labor pool, ultimately decreasing the tax base. Should Mason and Smith Valleys sacrifice their social and economic lifestyles in order to try to save a terminal desert lake when there is no way of knowing how much water would reach the lake? 20,000 acres in Lyon and Douglas Counties turned to dust is not justified in order to attempt to save a desert terminal lake. I ASK YOU FOR A FAIR, UNBIASED, SCIENTIFIC, AND COMPREHENSIVE EIS.

Mary Carter

699 Day Lane
Wellington New 8944

US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION
WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS
LAHONTAN BASIN AREA OFFICE, NEVADA

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PLEASE PRINT LEGIBLY

Name:

STEVEN E. CHORN

Affiliation (if any):

Street Address:

338 N. BETTY JAXIE

City, State, Zip:

WALKER LAKE NV 89445

Date:

11/17/07

Comments: (Comments may be continued on the back or a separate sheet.)

WE ARE SAPOSED TO GET A FAIR SHARE OF THE
WATER, AND YET THE INDIANS SEEM TO HAVE
THE RIGHT TO CUT OUR WATER OF AT WILL,
AND IT APPEARS THAT THEY BUILT THERE DAMS
ABOUT 15 FT HIGHER THAN IT WAS.

Comments must be received by November 26, 2007

19 NOV 2007 PM 3 T

Return Address:

Mr. Steven E. Chorn
338 Betty Jane Dr.
Walker Lake, NV 89415★

Lahontan Basin Area Office
U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

Carson City, NV 89701

705 N. Plaza St., Room 320

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SECRET

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To Whom It May Concern:

Foremost we want to preserve Walker Lake. Water is one of the most valuable resources of the State of Nevada. We do not want the Lake to turn in to another Mono Lake, CA or Owens Lake, CA.

The water available should be sufficient to satisfy the needs of all users in the Walker Lake Basin. Primary to accomplish this is accurate measurements for all diversions and wells to account for and police the users of water. No user should be able to use more than his or her allotment!

As a resident of the Walker Lake community I do not want the bed and banks of Walker Lake Community given to the Walker River Paiute Indian Tribe. We would like to see the Tribe take the bed and banks from the existing reservation down to and including Sportsman Park. Further we do not want any of the existing water rights of the Walker Lake Water G.I.D. to be involved in this transaction.

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- ⑥. A co-coordinated study to provide solutions to meet the legal requirements for fire fighting and emergency services to rural communities.**
- ⑦. Waste Water Treatment Plants for Hawthorne and Walker Lake to help preserve Walker Lake water quality.**
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NOV 20 2007

**BUREAU OF RECLAMATION
Lahontan Basin Area Office**

DATE: 11-27-07

TO: Ms. Caryn Hunt DeCarlo
Lahontan Basin Area Office
U.S. Dept. of Interior
Bureau of Reclamation
705 N. Plaza St., Rm. 320
Carson City, NV 89701
Phone: 775-884-8352
Fax: 775-884-8376
Email: chunttdecarlo@mp.usbr.gov

RE: WALKER RIVER PUBLIC COMMENTS

Dear Ms. Hunt DeCarlo,

Attached, please find my comments regarding the Walker River Basin Acquisition Program and the Environmental Impact Statement.

_____, I request that personal identifying information which is included on this cover page, or in my attached comments, be withheld.

_____, I understand that my personal identifying information included on this cover page, or in my attached comments may be shared through the public review process.

Please contact me if you have any questions.

Signature: _____

Name: _____

Address: _____

City, State, Zip: _____

Email: _____

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DEC 07 2007

BUREAU OF RECLAMATION
Lahontan Basin Area Office

PUBLIC COMMENTS

The EIS should explain what purpose the proposed action serves. Has enough research been performed that would allow the conclusion that the water rights acquisition program would actually result in the legislatively stated and intended environmental consequence, which is environmental restoration?

The legislation provides for acquisition of lands, water appurtenant to those lands, and related rights in Walker River Basin, Nevada. The Bureau of Reclamation public information release suggests that the legislation must be read as limiting acquisition of water rights to acquisition of Nevada water rights. However, the legislation speaks to environmental restoration of the entire Walker River Basin. How is this to be accomplished for the Walker River Basin lands in California?

If the legislation restricts the purchase of water rights to Nevada water rights, the purchased rights may not include storage rights, as the storage rights for the reservoirs are entitled through State of California permits. The EIS need to address this issue in its analysis of those rights intended for purchase that will be determined to be most beneficial.

Section 208 of Public Law 109-103 (2005) provided "for the acquisition from willing sellers land, water appurtenant to the land, and related interests with funds made available under Section 2507." The scoping materials appear to limit the EIS to an analysis of Section (a)(1)(A). The failure to include the following sections of the law must be addressed in the EIS:

- (a) the provisions for funding of tamarisk eradication, riparian area restoration, and channel restoration efforts within the Walker River Basin, and the assessment of which activities will result in the greatest increased water flow; and
- (b) the interests to be acquired must be most beneficial to the establishment and operation of the agricultural research center, as well as to the environmental restoration of Walker River Basin (Sec. 208 (a)(2)(A)).

The Purpose and Need Statement presented during the scoping process was limited to activities identified in Sec. 208 (a) only. It ignored Sec. 208 (c)(1), which provides additional funding for channel restoration and tamarisk eradication. Given the recognized difficulties in delivering any purchased or otherwise acquired water to Walker Lake, the EIS should address why this important legislation is being omitted from the EIS.

The EIS should address what criterion and methodology will be used to determine successful compliance with the legislation.

What is the scope of the alternatives that will be addressed in the EIS? Despite the statement made by the Bureau of Reclamation in its Extension of Scoping Comment Period notice that

other options of providing water to Walker Lake will not be analyzed in detail in the EIS, the Council on Environmental Quality suggests that alternatives outside the legal jurisdiction of the lead agency must still be analyzed in the EIS, if they are reasonable. Therefore, discussions of all alternatives need to be included in the EIS.

The EIS should comment on why other statutorily mandated activities under the authorizing legislation, including research into innovative agricultural water uses and enhanced delivery methods, were not initiated before the acquisition of water rights was initiated.

The EIS should identify and evaluate alternative methods for achieving environmental restoration to all or a portion of Walker Lake, including but not limited to, the following alternative actions:

- Obtaining the needed water through a combination of alternative measures including conservation practices and channelization of Walker River.
- Placing a dike across a portion of Walker Lake to create a salinity barrier across a portion of the lake.
- Desalinization of Walker Lake.
- Cloud seeding.
- Reservoirs for capturing flood event flows so that the waters may be released later in the season.

If the United States Bureau of Reclamation is proposing to provide water to Walker Lake by transferring water rights appurtenant to agricultural lands, the EIS should contain a detailed analysis of how the acquired water will be put to beneficial use to insure environmental restoration.

The EIS should identify the criterion and methodology to be used to assess effective environmental restoration.

Is the goal of the proposed action to merely convey additional water to Walker Lake, or is the goal to restore fish habitat? If the latter, is there an inherent conflict between the environmental consequences of restoring wildlife (wetlands) habitat and the stated purpose of the legislation, to provide more water to Walker Lake?

The Purpose and Need Statement suggests that the purpose of the acquisition program is to provide water to Walker Lake so as to implement federal statutes. What rational basis exists for providing water to Walker Lake when data currently available suggest that the goal of the legislation, restoring Walker Lake to a sustainable condition of ecological health, cannot be met through the addition of 50,000 acre-feet per year?

The EIS should assess the adequacy regarding the amount of water proposed for purchase given that scientific reports suggest that before meaningful steps may be taken toward environmental

restoration of Walker Lake, an initial increase in lake volume of 700,000 acre-feet would be required. (Thomas, 1965).

The EIS should analyze the actual goal to be achieved by the proposed action, i.e., the water acquisition program, given the lack of solid science supporting the likelihood that the purchased water will have a positive effect on Walker Lake or Walker Basin environmental restoration.

The EIS must address the cumulative impacts on junior appropriators, if transfer of water to instream uses is allowed: Nevada state law precludes the transfer of water rights if junior water rights holders will sustain injury as a result of the transfer. How does the Bureau intend to address this issue, given the foreseeable impact of the transfer of 50,000 acre-feet/year, or more, on junior water users in the Walker River Basin?

The EIS needs to analyze the impacts this acquisition program may have on the global protein quotient in light of the potential impact on Smith and Mason Valleys' dairy industry.

Will the EIS address the issue of TDS levels in Walker Lake? If so, why was a 50,000 acre-feet annual increase in inflow selected as a reasonable quantity given the length of time that it will take to lower the TDS level in Walker Lake?

The EIS should analyze the long term effect of the proposed increase in inflow with regard to TDS levels. What types of studies will be used to evaluate the salinity levels? If a measure of environmental restoration is accomplished, how long will the TDS stay at a reduced level before it starts to rise again?

The EIS should address whether the 10,000 ppm salinity goal as discussed by NDOW is adequate for successful fishery restoration. The NDEP Draft TMDL (February 2005) suggested that TDS levels as low as 5,000 mg/l make "kidney damage more prevalent" among LCT populations.

Walker River has significant sedimentation issues that are positively impacted by the diversion of water for irrigation purposes. The EIS must comment on how the effect of terminating irrigation diversions will impact the quality of water flowing into Walker Lake.

The Memorandum for General Counsels, NEPA Liaisons, and Participants in Scoping, published by the Executive Office of the President, Council on Environmental Quality, suggests that a post-scoping document be made available to the public. This proposal is particularly applicable when scoping has been conducted by written comments. Will such a document be made available to those who commented, as well as those who participated in the scoping presentations?

US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION
WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS
LAHONTAN BASIN AREA OFFICE, NEVADA

Public Comment Card

Please use this comment card to submit input regarding the Walker River Basin Acquisition Program and the Environmental Impact Statement (EIS). Please include any sources of relevant data or information that you feel may enhance this document. Comments must be received by **November 26, 2007**.

Comments can be submitted in the following ways:

1. Turn in today at the Public Meeting; or
2. By US Mail addressed to Mrs. Caryn Hunt DeCarlo, Lahontan Basin Area Office, U.S. Department of Interior, Bureau of Reclamation, 705 N. Plaza St., Room 320, Carson City, NV 89701; or
3. By E-mail to chunttdecarlo@mp.usbr.gov; or
4. By Fax to (775) 884-8376; or
5. If you have questions regarding the EIS or the process, please call Caryn Hunt DeCarlo at (775) 884-8352.

Privacy Notice: Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment - including your personal identifying information - may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. Unless indicated by you otherwise, you will automatically be added to the official EIS mailing list by submitting this form.

PLEASE PRINT LEGIBLY

Name: Don Conklin

Affiliation (if any): _____

Street Address: 183 Betty Jane Dr

City, State, Zip: Walker Lake, NV 89415 Date: 11-20-07

Comments: (Comments may be continued on the back or a separate sheet.)

Comments must be received by November 26, 2007

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Lahontan Basin Area Office
U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt Decarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

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POSTAGE
HERE

Return Address:

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NOV 23 2007

BUREAU OF RECLAMATION
Lahontan Basin Area Office

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7 Marlette Drive
Carson City, NV 89703
December 8, 2007

Bureau of Reclamation
Attn: Caryn Hunt
705 N. Plaza St., Rm 320
Carson City, NV 89701

RE: Walker River Basin Acquisition Program EIS

It has been stated that Reclamation has identified significant issues for this proposed action to analyze in the EIS as follows:

1. Effects on water resources/hydrology, including domestic wells, water quality, impacts to irrigators, irrigation in infrastructure and operations.

COMMENT:

(1) Removing the proposed amount of water from the valleys along the river courses will obviously have a detrimental effect on all of the above. Modeling will only give an estimate of the effect, and that is like betting on the come. When things get worse than the modeling estimate, will there be an effort to restore the lands to benchmarks?

2. Difficulties with delivering acquired water to Walker Lake.

COMMENT:

(1) Besides the normal losses as the water runs its course there are significant losses after the water gets to north Mason Valley and makes its turn and enters the marshy areas on its way to Schurz where there is also high loss. Whatever amount needed to improve the river channel in these areas should be taken from the money appropriated for this proposal before any water is taken from Mason or Smith Valleys.

(2) Weber Dam is also a problem if the acquired water is not permitted to pass on to Walker Lake. With the losses it's obvious that if 50,000 acre feet is put in at the top, not all of it will arrive at Weber. What amount will they be expected to release to the Lake and who is going to supervise it?

(3) Late in his term. Governor Kenny Guinn authorized release of 13,588 acre feet of water from the Mason Valley Wildlife Management Area to Walker Lake. It never got there. It as impounded in Weber Dam.

3. Socioeconomic effects on the Walker River Basin, including local communities lifestyles; population decline of agricultural workers; change in land use; change or loss of tax infrastructure/services; impact on agriculture; and impacts to recreation, economy, cultural, scenic and aesthetic impacts on Mineral County and Hawthorne.

COMMENT:

(1) It is not going to be difficult to conclude that the greatest loser here is going to be Lyon County. When the proposed amount of water is taken out of irrigation in Mason and Smith Valleys, all the topics you are going to look at will be on their way to zero. Even the State of Nevada and the federal government will lose tax collections from ranches and farms, all kinds of businesses and personal incomes.

(2) Mineral County and Hawthorne currently do not come close to contributing to the tax base of the State of Nevada and the federal government that Lyon County does. Their gain of water will only be part of what will be acquired and will not give them the economic increase to make up for the loss in Lyon County.

(3) Why is it that there is only concern for the impacts to recreation, economy, cultural, scenic and aesthetic impacts on Mineral County and Hawthorne? The proposed action is going to have greater affect on Mason and Smith Valleys. Because the amount of water taken out upstream, compared to final delivery, the greatest negative impact will be upstream.

(4) Regarding recreation, there will be detrimental results to Topaz and Bridgeport, California as well. When water rights are purchased the water is taken off the land and stored in these two reservoirs - built by the farmers, by the way, not by the federal government. At some time of the year it will be sent down the river to Walker Lake. Depending on the time of the year this is done, it could have a significant negative impact on, not only recreation, but the economy of those two areas.

4. Loss of both irrigated agricultural lands and wildlife habitat ant potential subsequent increase in noxious weeds and degraded air quality due to increased dust.

COMMENT:

(1) This is a given. It is even worse if it is true that the Nevada Department of Wildlife has already committed 8 to 10,000 acre feet of water annually from the Rosaschi Ranch on the East Walker and the Mason Valley Wildlife Management Area north of Yerington.

It is especially disconcerting that the legislation authorizing this upheaval of the Walker River Basin was passed before any analysis was done, without any public notice, and without any public comment. It should be a crime when a few people in Washington, D.C. can decide how, when and what a group of citizens will be affected without their knowledge, input or consent. Accordingly, the sole purpose of this legislation is to acquire water for Walker Lake, beneficial use be damned.

The Walker River begins high in the Sierra Nevada Mountains in California and terminates in Walker Lake in Nevada. The acquisition of water begins at the California-Nevada state line and ends at the Lyon-Mineral County line. It is called a Walker River Basin project, but it is actually a Lyon County project!

This is patently unfair under the 14th Amendment of the Constitution of the United States and is , at least in reality, a political and preferential treatment action for the benefit of two parties - California and Mineral County, Nevada - at the expense of Lyon County's Mason and Smith Valleys.

Walker Lake is a remnant of the ancient Lake Lahontan which covered most of Northern Nevada and extended into north eastern California. When the Ice Age gave way to "global warming" the resulting water filled all the valleys of northern Nevada and Utah, creating Lahontan and Bonneville Lakes. Only the ridge of mountains near their state lines separated the two large lakes. Since that time these lakes have been evaporating and drying up from natural causes. Nevada has many valleys that have playas - evidence of water sitting there for years as it dried up and left the looks of lake bottoms. The Black Rock Desert is a perfect example as is the Bonneville Salt Flats in Utah.

As Lake Lahontan declined the rivers and streams from the mountains in the Great Basin were unable to recharge the lake waters as fast as they evaporated. The result is Pyramid Lake, Walker Lake and Winnemucca Lake (now dry). The former are still here because they are in deeper valleys than the others.

While there were aboriginals here, they did little farming, preferring to live off the vegetation that grew naturally.

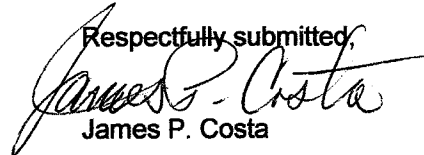
The pioneer economics began in the mid 1800's with agriculture developing in Mason and Smith Valleys in the late 1800's and early 1900's without an organized irrigation system. The Walker River Irrigation District was formed in 1919, and the farmers built dams on Upper and Lower Twin Lakes, and north of Bridgeport on the East Walker river, and at Topaz on the West

Walker River without any help from any government - especially the federal. They did this because they knew there was not enough water discharge in the Walker River to support much irrigation without increasing the acre feet by damming it up when plentiful and using it through the year or into dry years. These dams actually doubled the potential flow of the river.

The farmers were growing crops for animals and people, raising livestock for meat and producing milk for people. Hawthorne was a tiny mining town with some sport fishing until the U.S. Government decided to put an ammunition depot there for the U.S. Navy and built the large complex before and during World War II. It was then that Hawthorne blossomed - not because of the mining and fishing at Walker Lake. Fishing in the early days was popular and did support some economy in the area but not to the level that Mason and Smith Valleys contributed to their areas.

There have been reputable scientific and engineering studies about how much water it would take to maintain Walker Lake at a level that would keep TDS levels at an acceptable level for fish and wildlife benefits. This has been stated as much as 100,000 acre feet/year. If it weren't for the dams built by the farmers and ranchers to impound and increase the amount of water in the river, this would be the total discharge of the Walker River in a good year. At the same time it has been estimated the evaporation rate from the lake is about 100,000 acre feet/year. Since all the water discharged would not get to the lake there is a negative bottom line. What is the advantage of drying up a viable local and state economy and lifestyle with a wildlife benefit to send the water to a lake that has been drying up for thousands of years and will not improve or survive even with the sacrifices proposed? All of the state's water laws seek evidence of beneficial and productive use of both surface and ground waters. This program certainly does not give evidence of compliance.

THIS IS A LOSE/LOSE SITUATION!!

Respectfully submitted,

James P. Costa

RECEIVED

DEC 10 2007

BUREAU OF RECLAMATION
Lahontan Basin Area Office

JIM GIBBONS
Governor

STATE OF NEVADA

ANDREW K. CLINGER
Director



DEPARTMENT OF ADMINISTRATION

209 E. Musser Street, Room 200
Carson City, Nevada 89701-4298
(775) 684-0222
Fax (775) 684-0260
<http://www.budget.state.nv.us/>

December 7, 2007

Caryn DeCarlo
US Department of the Interior
Bureau of Reclamation
Nevada State Office
705 N Plaza St. Room 320
Carson City, NV 89701

Re: SAI NV # **E2008-232**

Reference:

Project: **Scoping for Walker River Basin Acquisition Program EIS**

Dear Caryn DeCarlo:

The State Clearinghouse has processed the proposal and has no comment.

This constitutes the State Clearinghouse review of this proposal as per Executive Order 12372. If you have questions, please contact me at (775) 684-0209.

Sincerely,

Handwritten signature of Krista Coulter in black ink.

Krista Coulter
Nevada State Clearinghouse

US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION
WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS
LAHONTAN BASIN AREA OFFICE, NEVADA

Public Comment Card

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PLEASE PRINT LEGIBLY

Name: Gary Cummings
Affiliation (if any): Self
Street Address: 13 Mason Road
City, State, Zip: Yerington, NV 89447 Date: _____

Comments: (Comments may be continued on the back or a separate sheet.)

Is there any evidence that 50,000 acre
feet will stop and reverse the decline
of Walker Lake? It appears that the water
in the basins have been declining long
before there was any irrigation in
Smith + Mason Valleys. It would seem

Comments must be received by November 26, 2007

that the 70 million from Harry Reid may
be payback to one of the few rural
counties that have supported him.
He takes credit for saving Pyramid
Lake. It may be too soon to make that
comment.

PLEASE FOLD IN HALF HERE

Return Address:

Gary Cummings
13 Mason Road
Gerington, NV 89447

RENO NV 895

24 OCT 2007 PM



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Lahontan Basin Area Office
U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

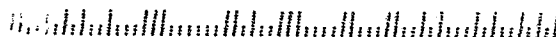
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OCT 25 2007

BUREAU OF RECLAMATION
Lahontan Basin Area Office

PLEASE TAPE CLOSED HERE

B9701+4066



DATE: 11/28/07

TO: Ms. Caryn Hunt DeCarlo
Lahontan Basin Area Office
U.S. Dept. of Interior
Bureau of Reclamation
705 N. Plaza St., Rm. 320
Carson City, NV 89701
Phone: 775-884-8352
Fax: 775-884-8376
Email: chunttdecarlo@mp.usbr.gov

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Please contact me if you have any questions.

Signature: _____

Name: _____

Address: _____

City, State, Zi _____

Email: _____

RECEIVED

DEC 07 2007

BUREAU OF RECLAMATION
Lahontan Basin Area Office

PUBLIC COMMENTS

The EIS should address the effects of global warming in the evaluation of the proposed action.

The EIS needs to address the cumulative effects on lands that are being dewatered, including:

- Air quality impacts regarding removal of water from agricultural lands
- Water shortages
- Groundwater impacts-aquifer depletion
- Soil loss
- Ecological systems-loss of wildlife populations
- Fragmentation of the irrigation district as a result of purchases
- Increase in noxious weeds

The impacts on agricultural production in Smith and Mason Valleys resulting from the purchase of water right needs to be addressed in the EIS.

The impacts of the socioeconomic consequences to the Smith and Mason Valleys including, but not limited to, the overburdening of social services and reduction in tax base, must also be analyzed in the EIS.

The EIS should contain an analysis of social justice issues that may arise as a result of the diminishment of agricultural job opportunities as a result of the transfer of water rights to instream use.

The EIS should contain analysis of the potential changes to community dynamics for the Smith and Mason Valleys, and alternatives to those changes.

The EIS should contain analysis of the potential loss of community character for the Mason and Smith Valleys, and alternatives to the proposed action to lessen the impacts.

The EIS should contain analysis of cumulative impacts on land values in the Smith and Mason Valleys if the proposed action is undertaken.

The EIS should contain analysis of the changes in land use that will occur as a result of the dewatering of various parcels of agricultural land.

The EIS should contain analysis of aesthetic impacts on Smith and Mason Valleys if the purchase of 50,000 acre-feet/year or more of water rights is accomplished.

The EIS should contain analysis of the economic, cultural, and tax revenue costs to Lyon County if the 140 year old agricultural economy of Mason and Smith Valleys is terminated.

With regard to economic alternatives, the EIS should contain information regarding the percentage of the Mason and Smith Valley agricultural economy that will survive if the water acquisition project goes forward.

The EIS should contain analysis of the effects on the Smith and Mason Valleys' irrigation infrastructure, and how reduction of the amount of water available for irrigation will impact other irrigators in the region.

The EIS needs to analyze the impact this acquisition program may have on the global protein quotient given the potential impact on Smith and Mason Valleys' dairy industry.

With the diminishing land and water available for food production farming in the United States, along with population expansion and other factors, the value of food production farming will only increase. This important economic fact should be considered in the EIS, as this program will only further our nation's food dependence on other countries as viable farm ground is taken out of production.

The EIS should consider the value of water versus the value of food production farming in the Walker River Basin. Is there a current economic model being used to determine the value of the water being allocated to Walker Lake versus the value of the water being used for food production farming?

- When was this economic model developed?
- Why was this model developed at the time of its creation?
- Who developed this economic model and what were their qualifications including those qualifications relating to food production farming?

Has the current economic impact for tourism, specific to Walker Lake for the last 10 years, been considered in this EIS? What about for the last 20 years?

What is the current economic impact of farming in the Walker River Basin? Has this program analyzed the economic impact it will have on the basin if water is removed from farm production and placed instream?

Is it possible to conduct major economic growth in Mason Valley and Smith Valley without retaining the current water rights in production?

The EIS should consider the long term perspectives as they relate to the Walker River Basin: what will be more profitable for the people of Nevada, food production farming in Smith and Mason Valleys or tourism to Walker Lake? Why? How has this been calculated and evaluated?

What entity will hold ownership of the purchased water rights? In whose name will the water rights be held?

TIMOTHY CUMMINGS
Walker River Public Comments
November 28, 2007
Page 3 of 3

The EIS should contain analysis of whether the purchased water rights will be irrevocably dedicated, and for what purpose, or if they may be sold or leased for other purposes.

If the project fails to achieve its goal of environmental restoration, how will the water be put to use to avoid waste?

If the project fails to achieve its goal of environmental restoration, what would preclude the holder of the acquired rights from selling them to the highest bidder for municipal use (i.e., private developers in high growth urban areas such as Las Vegas, Carson City, Reno, Fallon, and Dayton)?

Public Comment Card

US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS LAHONTAN BASIN AREA OFFICE, NEVADA

Please use this comment card to submit input regarding the Walker River Basin Acquisition Program and the Environmental Impact Statement (EIS). Please include any sources of relevant data or information that you feel may enhance this document. Comments must be received by December 10, 2007.

TO: Mrs. Caryn Hunt DeCarlo, Lahontan Basin Area Office, U.S. Department of Interior, Bureau of Reclamation, 705 N. Plaza St., Room 320, Carson City, NV 89701

FROM: DAMIAN LTD., PO Box 778, Hayward, CA 94543

Date: December 1, 2007

COMMENT:

WALKER LAKE

SMITH&MASON VALLEY

"QUID PRO QUO"

Definition:

SOMETHING

FOR

SOMETHING

NEEDS WATER
TREATED FAIRLY
BENEFITS AMERICA
SUSTAIN WALKER LAKE
GOV'T LEADERS SUPPORT
UNITED STATES OF AMERICA
NEVADA
PARITY
UNITY
UNDERSTANDING

WIN

THANK YOU!

SUPPLIES SOME WATER
TREATED FAIRLY
BENEFITS AMERICA
SUSTAIN ECONOMY
GOV'T LEADERS SUPPORT
UNITED STATES OF AMERICA
NEVADA
PARITY
UNITY
UNDERSTANDING

WIN

THANK YOU!

RECEIVED

DEC 07 2007

BUREAU OF RECLAMATION
Lahontan Basin Area Office

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FROM: DAMIAN LTD., PO Box 778, Hayward, CA 94543

Date: December 1, 2007

COMMENT:

BEFORE ANY IRRIGATION WATERS ARE REMOVED FROM THE CURRENT IRRIGATION DELIVERY SYSTEMS WITHIN SMITH VALLEY OR MASON VALLEY AND SENT OFF TO SUSTAIN WALKER LAKE THE FOLLOWING WILL NEED TO BE RESOLVED.

ELIMINATION OF ANY INEFFICIENCIES IN THE DELIVERY SYSTEMS FOR THE DISTRIBUTION OF LESS WATER FLOWS OF THE REMAINING IRRIGATION WATER RIGHTS TO FARM LANDS WITHIN SMITH VALLEY AND MASON VALLEY.

WITH THE FUNDING AND COMPLETION OF THE NECESSARY CONSTRUCTION PROJECTS THAT WILL IMPROVE THE WATER DELIVERY EFFICIENCY TO 100% BY THESE SYSTEMS PRIOR TO ANY WATER DELIVERIES BEING MADE TO WALKER LAKE.

RECEIVED

DEC 07 2007

U.S. DEPARTMENT OF RECLAMATION
Lahontan Basin Area Office

Public Comment Card

**US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION
WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS
LAHONTAN BASIN AREA OFFICE, NEVADA**

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**TO: Mrs. Caryn Hunt DeCarlo, Lahontan Basin Area Office, U.S. Department of Interior,
Bureau of Reclamation, 705 N. Plaza St., Room 320, Carson City, NV 89701**

FROM: DAMIAN LTD., PO Box 778, Hayward, CA 94543

Date: December 1, 2007

COMMENT:

**LOSSES OF WATER RIGHTS WITHIN SMITH VALLEY FOR THE BENEFIT
OF SUSTAINING WALKER LAKE WILL LOWER THE ASSESSED
VALUATIONS ON ALL THE LANDS; IT'S BUSINESSES AND RESIDENCES
IN SMITH VALLEY!**

**THIS WILL NOT HELP ENHANCE THE TAX BASE OF LYON COUNTY OR
THE STATE OF NEVADA THAT DEPEND ON THESE SOURCES OF
REVENUES.**

RECEIVED

DEC 07 2007

**BUREAU OF RECLAMATION
Lahontan Basin Area Office**

Public Comment Card

US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS LAHONTAN BASIN AREA OFFICE, NEVADA

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FROM: DAMIAN LTD., PO Box 778, Hayward, CA 94543

Date: December 1, 2007

COMMENT:

ANY LOSS OR THE USE OF WATER RIGHTS WITHIN SMITH VALLEY FOR THE BENEFIT OF SUSTAINING WALKER LAKE WILL LIMIT GROWTH IN POPULATION THAT IN TURN DIRECTLY AFFECTS THE **COMMERCIALLY ZONED** LANDS IN SMITH VALLEY.

EXISTING BUSINESSES WILL STRUGGLE TO SURVIVE BUT NEW BUSINESSES WILL NOT BE INCLINED TO COME INTO OUR AREA.

LANDOWNERS OF THESE COMMERCIAL LANDS COULD REALIZE A REDUCED VALUATION OF UP TO 90% FROM TODAY'S VALUES!

THIS WILL NOT HELP THE TAX BASE OF LYON COUNTY OR THE STATE OF NEVADA THAT DEPENDS ON GROWTH THAT FEEDS IN ADDITIONAL TAX REVENUES.

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BUREAU OF RECLAMATION
Lahontan Basin Area Office

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FROM: DAMIAN LTD., PO Box 778, Hayward, CA 94543

Date: December 1, 2007

COMMENT:

WATER RIGHTS LOST FROM WITHIN SMITH VALLEY FOR THE BENEFIT OF SUSTAINING WALKER LAKE WILL END UP LIMITING GROWTH IN POPULATION.

A HOMEOWNERS TAXABLE VALUATION COULD BE REDUCED BY UP TO 90%!

THIS WILL NOT HELP THE TAX BASE OF LYON COUNTY OR THE STATE OF NEVADA WHO DEPEND UPON THIS REVENUE.

WITHOUT GROWTH EMPLOYMENT OF TEACHERS AND OTHER GOVERNMENT SERVICES WILL BE REDUCED OR ELIMINATED.

RECEIVED

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Lahontan Basin Area Office

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Date: December 1, 2007

COMMENT:

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THE VALUATION ON AGRICULTURAL & OPEN SPACE LANDS COULD GET REDUCED UP TO 90%!

THIS WILL LOWER THE TAX BASE OF LYON COUNTY AND THE STATE OF NEVADA.

WITHOUT A STRONG ECONOMY THE EMPLOYMENT OF TEACHERS AND OTHER GOVERNMENT SERVICES WILL BE REDUCED OR ELIMINATED.

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FROM: DAMIAN LTD., PO Box 778, Hayward, CA 94543

Date: December 1, 2007

COMMENT:

"LAND" WHO'S WATER RIGHTS ARE EXPORTED AWAY FROM SMITH VALLEY, ITS USE AND ARE FOR THE END BENEFIT OF SUSTAINING WALKER LAKE WILL NEED TO BE RECLAIMED WITH RE-ESTABLISHING NATIVE VEGETATION.

A RECLAMATION PROJECT WITH FUNDING AND IMPLEMENTATION OF A STABILIZING PROCESS OF THESE LANDS OVER A LONG TERM TIMEFRAME ARE AND WILL BE A NECESSITY FOR THE BENEFIT OF RESIDENTS AND ALL WILDLIFE IN SMITH VALLEY.

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BUREAU OF RECLAMATION
Lahontan Basin Area Office

Public Comment Card

US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS LAHONTAN BASIN AREA OFFICE, NEVADA

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FROM: DAMIAN LTD., PO Box 778, Hayward, CA 94543

Date: December 1, 2007

COMMENT:

“LAND” WHO’S WATER RIGHTS ARE SOLD OR LEASED BUT NONE THE LESS ARE EXPORTED AWAY FROM SMITH VALLEY AND ITS USE AND ARE FOR THE BENEFIT OF SUSTAINING WALKER LAKE NEED TO BE RECLAIMED WITH RE-ESTABLISHING NATIVE VEGETATION.

**A RECLAMATION PROJECT SIMILAR TO THE USDA’S
“CONSERVATION RESERVE PROGRAM”(CRP) OF WHICH
CURRENTLY WORKS WELL IN MANY AREAS OF THE UNITED STATES
CAN BE A MODEL.**

**THE CRP PROGRAM BENEFITS ALL SET ASIDE LANDS BY HELPING
SHELTER, FEED & WATER WILDLIFE WHILE STABILIZING THE SOIL.**

**ADDITIONALLY RECREATION IS THEN ALLOWED ON THESE LANDS
FOR THE PUBLIC’S USE.**

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BUREAU OF RECLAMATION
Lahontan Basin Area Office

Public Comment Card

**US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION
WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS
LAHONTAN BASIN AREA OFFICE, NEVADA**

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FROM: DAMIAN LTD., PO Box 778, Hayward, CA 94543

Date: December 1, 2007

COMMENT:

THE SOCIOECONOMIC STABILITY OR IMPROVEMENT OF IT, FOR BOTH SMITH VALLEY AND MASON VALLEY IS OF PARAMOUNT CONCERN.

NOT ONE ATTEMPT TO CHANGE THE DESTINATION OF ANY WATERS SHOULD BE MADE UNTIL ALL ISSUES ARE ADDRESSED AND THEN ALL RESOLUTIONS ARE IN ACTIVE PRACTICE.

SUCCESS WILL ONLY BE ACHIEVED WITH ALL WORKING TOGETHER WITH A FAIR AND EQUITABLE MINDSET IN THEIR APPROACH.

RECEIVED

DEC 07 2007

BUREAU OF RECLAMATION
Lahontan Basin Area Office

US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION
WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS
LAHONTAN BASIN AREA OFFICE, NEVADA

Public Comment Card

Please use this comment card to submit input regarding the Walker River Basin Acquisition Program and the Environmental Impact Statement (EIS). Please include any sources of relevant data or information that you feel may enhance this document. Comments must be received by **November 26, 2007**.

Comments can be submitted in the following ways:

1. Turn in today at the Public Meeting; or
2. By US Mail addressed to Mrs. Caryn Hunt DeCarlo, Lahontan Basin Area Office, U.S. Department of Interior, Bureau of Reclamation, 705 N. Plaza St., Room 320, Carson City, NV 89701; or
3. By E-mail to chunttdecarlo@mp.usbr.gov; or
4. By Fax to (775) 884-8376; or
5. If you have questions regarding the EIS or the process, please call Caryn Hunt DeCarlo at (775) 884-8352.

Privacy Notice: Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment - including your personal identifying information - may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. Unless indicated by you otherwise, you will automatically be added to the official EIS mailing list by submitting this form.

PLEASE PRINT LEGIBLY

Name: _____

GARRY DAVIS

Affiliation (if any): _____

Street Address: _____

14 BORSINI LANE

City, State, Zip: _____

YERINGTON NV 89447

Date: 11-10-07

Comments: (Comments may be continued on the back or a separate sheet.)

ALL WATER MUST BE SHARED

WALKER LAKE IS A TERMINAL LAKE
AND HAS BEEN FOR THOUSANDS
OF YEARS. IT EVAPORATES FAR MORE
WATER IN 1 DAY DURING THE SUMMER

Comments must be received by November 26, 2007

THEN CAN BE REPLENISHED IN ONE
DAYS WATER DOWN THE RIVER
TAKING ALL THE WATER TO WALKER LAKE
WILL DESTROY MOST CITIES AND TOWNS
NEAR THE RIVER.

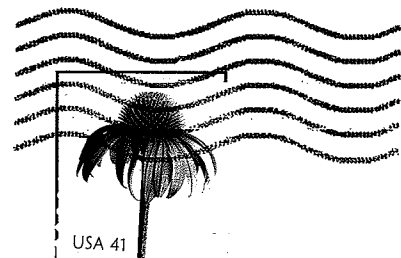
PLEASE FOLD IN HALF HERE

Return Address:

Garry and Diane Davis
14 Borsini Lane
Yerington, NV 89447-9504

RENO NV 895

13 NOV 2007 PM 1 L



PLEASE TAPE CLOSED HERE

PLEASE TAPE CLOSED HERE

Lahontan Basin Area Office
U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

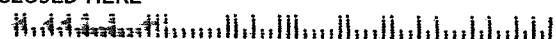
RECEIVED

NOV 14 2007

BUREAU OF RECLAMATION
Lahontan Basin Area Office

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89701+4066



12-10-2007

To: Mrs. Caryn Hunt DeCarlo
Lahontan Basin Area Office
U.S. Department of the Interior
Bureau of Reclamation
705 N. Plaza St., Room 320
Carson City, NV 89701

From: Dave DeGrendele
P.O. Box 1
Yerington, NV 89447

Re: Walker River Basin Acquisition Program
Environmental Impact Statement
National Environmental Policy Act
Public Scoping Comments

Dear Mrs. DeCarlo,

As a resident of Yerington and Mason Valley I am very concerned at the possible impacts of P.L. 109-103, Sec. 208.

Some of my concerns are:

- 1) Impacts on wildlife. Since water has already been sent downstream from the Mason Valley Wildlife Management Area the waterfowl populations have already been decimated. Since the water sent down stream under orders from former Gov. Guinn the majority of ponds were dry during the summer of 2007 sending the resident waterfowl elsewhere for nesting sites. Also the deer population of Mason and Smith Valleys depends on the Walker River as well as the irrigated lands for their food supply.
- 2) I am concerned that even though water may be acquired it will not reach Walker Lake. Water that should be reaching Walker Lake seems to be lost somewhere between Mason Valley and its intended destination. Water sent from the Mason Valley Wildlife Management Area this past year doesn't seem to have made it to the lake.
- 3) I am concerned with air quality of the Smith and Mason Valleys. If the amount of land is taken out of irrigation that would meet the goals of this program I believe the air quality will be severely impacted, the dust factor in particular. This is of extreme importance to me as I am a retired Fire Captain forced to relocate here to escape the pollution and dust in California. My career of service to the public has already damaged my respiratory system; I don't wish to be forced to move again due to increased blowing dust.
- 4) I am concerned by the possible effects on ground water, both the effects on the ground water levels and possible pollution due to less recharge from irrigation.
- 5) I am concerned life as we know it here in Lyon County will be irreparably changed. With loss of agriculture our population will dwindle. Every job in agriculture creates many more in the

community. If the amount of water needed to meet the goals of this program is removed from irrigation in Mason and Smith Valleys our socioeconomic system will be damaged beyond repair. Just the thought of \$70 million in water rights being taken out of the Lyon County tax rolls will have a major effect on the county.

- 6) I am concerned with what will happen to the price of food not just locally but nationally and regionally. Mason Valley and Smith Valley are a major supplier of hay for the "Happy Cows from California". Mason Valley is one of the main onion suppliers to the entire nation. What are the impacts if these lands are taken out of production?
- 7) I am concerned that the federal government stepping into the local market with "deep pockets" will artificially inflate the cost of water to those who wish to continue farming and are not a "willing seller" but a possible that will be priced out of the market.
- 8) I am concerned that while the value of water righted land will skyrocket the value of business and residential property will plummet due to less demand. (Fewer jobs mean fewer people.)

I do have some other questions that I am not sure if they are within the scoping that is underway now. If it is within your power could you provide some answers for me or in the alternative, point me to someone that may be able to answer them?

- A) How much water is really needed? I hear so many different figures. Where is it really coming from and is it sustainable?
- B) Will the scoping report be released to the public? (Or do we have to jump through all the "Freedom of Information Act" hoops?)
- C) This seems to be a solution to a perceived problem that is a pre-selected alternative. Is there room for reasonable alternatives? (development of other water sources, better water delivery, water leasing)
- D) Is there any possibility of some local control or input? It seems the local water owners, users and managers would have very keen insights.

Thank you for consideration,

Dave DeGrendele

GORDON H. DePAOLI
JOHN P. FOWLER
JOHN F. MURTHA
STEPHEN S. KENT
NICHOLAS F. FREY
W. CHRIS WICKER
SHAWN B. MEADOR
R. BLAIN ANDRUS
DON L. ROSS
GREGG P. BARNARD
DALE E. FERGUSON
SHAWN G. PEARSON

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P.O. BOX 2311, RENO, NV 89505
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DANE W. ANDERSON
MICHAEL W. KEANE
JOHN F. KEUSCHER
SHARON M. PARKER
JESSICA S. HANSON
JILL M. VACCHINA
BRENOCH R. WIRTHLIN
—
WILLIAM K. WOODBURN (1910-1989)
VIRGIL H. WEDGE (1912-2000)
CASEY W. VLAUTIN (1938-2001)
—
OF COUNSEL
JAMES J. HALLEY

December 10, 2007

Gordon H. DePaoli
E-MAIL: gdepauli@woodburnandwedge.com
DIRECT DIAL: (775) 688-3010

*Via Electronic Mail CHUNTTDECARLO@mp.usbr.gov
and Hand Delivery*

Caryn Hunt DeCarlo
Bureau of Reclamation
705 North Plaza Street, Room 320
Carson City, Nevada 89701

**Re: Scope of Proposed Environmental Impact Statement Referenced in 72
Federal Register 54456-54457, September 25, 2007**

Dear Ms. Hunt DeCarlo:

This office represents the Walker River Irrigation District (the "District"). The Department of the Interior, Bureau of Reclamation ("BOR") has given notice of intent to prepare an Environmental Impact Statement ("EIS") pursuant to the National Environmental Policy Act, 42 U.S.C. §§ 4321, et seq. ("NEPA"), and pursuant to Public Law 107-171 and Public Law 109-103. This letter sets forth the District's comments concerning the required scope of the proposed EIS. The District expressly reserves the right to, and does not waive its right to, raise additional issues not addressed in this letter at some later date. See, Northwest Resource Information Center v. National Marine Fisheries Service, 56 F.3d 1060, 1067 (9th Cir. 1995).

I. Introduction.

The so-called "scoping process" is intended to be an "early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action." 40 C.F.R. § 1501.7. As part of the scoping process, the BOR is required, among other things, to determine the scope of and the significant issues to be analyzed in depth in the EIS. See, 40 C.F.R. § 1501.7(a)(2). The regulation concerning scoping specifically refers to the provisions of 40 C.F.R. § 1508.25, which provides additional detail concerning the "scope" of an EIS. That section explains that "scope consists of the range of actions, alternatives and impacts to be considered in an environmental impact statement."

Prior to preparing these comments, the District reviewed the Council on Environmental Quality's April 30, 1981 "Memorandum for General Counsels, NEPA Liaisons and Participants in Scoping" (the "CEQ Memorandum"). The CEQ Memorandum was very helpful and informative. The CEQ Memorandum notes that "scoping is a crucial first step toward building public confidence in a fair environmental analysis and ultimately a fair decision making process." It encourages participants, like the District, "to inform the responsible agencies of the potential impacts that should be studied, the problems a proposal may cause that [they] foresee, and the alternatives and mitigating measures that offer promise." Participants are encouraged by the CEQ Memorandum to participate positively, rather than negatively.

These comments submitted on behalf of the District are made in that spirit. Where appropriate, these comments include references to relevant case law. Those references are directed at ensuring that important issues are addressed now, and so that subsequent litigation concerning the adequacy of the final EIS may be avoided.

As you know, on November 16, 2007, the District held workshops in Yerington and Smith Valley to help interested persons better understand the entire NEPA process and to aid in the collection and delivery of comments on the scope of the EIS to BOR. As a result of those workshops, the District has collected comments from the persons listed on Exhibit A attached hereto, and is delivering those comments to you under separate cover.

II. Scope.

The provisions of 40 C.F.R. § 1508.25 require that in determining the "scope of environmental impact statements agencies shall consider 3 types of actions, 3 types of alternatives and 3 types of impacts." Actions may be "connected," "cumulative," or "similar." 40 C.F.R. § 1508.25(a)(1), (2) and (3). Alternatives include the proposed action, the no-action alternative and other reasonable courses of action, and mitigation measures. 40 C.F.R. § 1508.25(b)(1), (2) and (3). Impacts may be direct, indirect, and cumulative. 40 C.F.R. § 1508.25(c).

The District's comments concerning the scope of the proposed EIS are organized consistent with those provisions. In addition, the District addresses other matters and problems which should be considered and addressed early in the process.

III. Connected, Cumulative and Similar Actions.

Connected actions and cumulative actions should be addressed in the same impact statement. 40 C.F.R. § 1508.25(a)(1) and (2). If connected or cumulative actions are not addressed in the same impact statement, the statement may be inadequate. See, *Thomas V. Peterson*, 753 F.2d 754, 758-761 (9th Cir. 1985); *Save the Yaak Committee v. Block*, 840 F.2d 714 (9th Cir. 1988). An agency has discretion to determine whether similar actions should be addressed in a single impact statement. 40 C.F.R. § 1508.25(a)(3).

Connected actions "are closely related" and are connected if they:

- (i) Automatically trigger other actions which may require environmental impact statements.
- (ii) Cannot or will not proceed unless other actions are taken previously or simultaneously.
- (iii) Are interdependent parts of a larger action and depend on the larger action for their justification.

40 C.F.R. § 1508.25(a)(1). Actions are cumulative if "when viewed with other proposed actions [they] have cumulatively significant impacts." 40 C.F.R. § 1508.25(a)(2). Actions are similar if "when viewed with other reasonably foreseeable or proposed actions [they] have similarities that provide a basis for evaluating their environmental consequences together, such as common timing or geography." 40 C.F.R. § 1508.25(a)(3).

Based upon a review of relevant case law, it is the District's position that the purchase and lease actions authorized and proceeding under Section 208(b) of P.L. 109-103, and which are discussed below, are similar to the actions authorized in Section 208(a) of that law, and therefore should be analyzed together in a single impact statement. The timing, geography and purposes of those actions are common. In addition, the actions authorized under Section 208(c)(1) of P.L. 109-103 are both connected and cumulative actions with those authorized under Section 208(a) of P.L. 109-103, and must be analyzed in the same impact statement. It would be "irrational, or at least unwise, to undertake the [acquisition actions under Section 208(a)] if [the delivery actions under Section 208(c)(1)] are not also undertaken." See, Save the Yaak Committee, 840 F.2d at 720.

IV. Range of Reasonable Alternatives.

A. Statement of Purpose and Need.

Consideration of alternatives is "the heart of the environmental impact statement." 40 C.F.R. § 1502.14; *Westlands Water District v. Dept. of Interior*, 376 F.3d 853, 865 (9th Cir. 2004); *City of Carmel-By-the-Sea v. Dept. of Transportation*, 123 F.3d 1142, 1155 (9th Cir. 1997). Relevant case law makes it clear that the stated goal of a project "necessarily dictates the range of reasonable alternatives and an agency cannot define its objectives in unreasonably narrow terms." *Westlands*, 376 F.3d at 865; *City of Carmel*, 123 F.3d at 1155. Project alternatives derive from the "purpose and need" section of the EIS. *Id.* Indeed, 40 C.F.R. § 1502.13 requires a brief statement of the "underlying purpose and need to which the agency is responding in proposing the alternatives, including the proposed action."

It is therefore essential for there to be a clear statement of the purpose and need for the proposed action here. Materials which have been provided by BOR in the scoping process include numerous and different statements of what may be the purpose and need here, but none of those materials expressly identify those statements as the statement which will satisfy the

requirements of 40 C.F.R. § 1502.13. For example, the Frequently Asked Questions handout included the following:

"What is the purpose of the Walker River Basin Acquisition Program ("Program")?"

The purpose of the Program is to deliver additional water to Walker Lake."

Similarly, a poster on "Project Objectives" displayed in the BOR scoping meetings stated the following:

"Principal environmental restoration objectives of the Program will be to (a) provide fresh water inflows of up to an average of 50,000 acre feet annually to improve the ecological health of the Walker Lake, and (b) sustain improved conditions over the long term."

The September 25, 2007, Federal Register notice of intent states:

"the primary purposes of the program is to comply with the requirements of Public Law 107-171 (Desert Terminal Lake Program) which appropriates funds to provide water to at-risk natural desert terminal lakes, and with Public Law 109-103, which allocates funds to the University of Nevada for two specific purposes. The first purpose is to implement a program for environmental restoration to acquire from willing sellers, land water appurtenant to the land and related interests in the Walker River Basin, Nevada."

The recent notice extending the scoping comment period quoted from Section 208(a)(1) of P.L. 109-103, and stated "the EIS Purpose and Need for the proposed project is to comply with the direction specified in the law." That same notice, under Clarifications Based on Comments Received to Date, stated the following:

"To help restore Walker Lake to a sustainable condition of ecological health, the EIS anticipates acquiring enough water rights to increase average annual inflows to Walker Lake by up to approximately 50,000 acre feet."

These various statements and the absence of a clear and concise statement of purpose and need in BOR's scoping materials have created confusion with respect to suggestions for reasonable alternatives. At this point, at least BOR has only identified the proposed action and the no-action alternative. For the most part, the various statements are unreasonably narrow, effectively eliminate consideration of reasonable alternatives, and mandate the selection of the proposed alternative.

Certainly, when action is being taken under a statute, the statutory objectives may serve as a guide for determining the reasonableness of the statement of purpose and need. Here, BOR

has failed to consider the entire statutory scheme, and has not adequately considered the express language of Section 208(a)(1) of P.L. 109-103.

The entire relevant statutory scheme here includes various sections of P.L. 107-171, P.L. 108-7 and P.L. 109-103. It is useful to consider the relevant provisions from each of those three public laws here. The first is Section 2507 of P.L. 107-171, which provides:

SEC. 2507 DESERT TERMINAL LAKES.

(a) IN GENERAL. Subject to subsection (b), as soon as practicable after the date of enactment of this Act, the Secretary of Agriculture shall transfer \$200,000,000 of the funds of the Commodity Credit Corporation to the Bureau of Reclamation Water and Related Resources Account, which funds shall -

(1) be used by the Secretary of the Interior, acting through the Commissioner of Reclamation, **to provide water to at-risk natural desert terminal lakes;**

and

(2) remain available until expended.

(b) LIMITATION. The Funds described in subsection (a) shall not be used to purchase or lease water rights.

The limitation referenced in Section 2507(b) above was omitted from the BOR material.

The second is Section 207 of P.L. 108-7, which provides:

SEC. 207. RESTORATION OF FISH, WILDLIFE, AND ASSOCIATED HABITATS IN WATERSHEDS OF CERTAIN LAKES.

(a) IN GENERAL. In carrying out section 2507 of Public Law 107-171, the Secretary of the Interior, acting through the Commissioner of Reclamation, shall -

(1) subject to paragraph (3), provide water and assistance under that section **only for the Pyramid, Summit, and Walker Lakes in the State of Nevada;**

Finally, there is **all** of Section 208 of P.L. 109-103, which provides:

SEC. 208

(a) (1) Using amounts made available under section 2507 of the Farm and Security Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107-171), **the Secretary** [of the Interior] shall provide not more than **\$70,000,000 to the University of Nevada -**

(A) to acquire from willing sellers land, water appurtenant to the land, and related interests in the Walker River Basin, Nevada; and

(B) to establish and administer an agricultural and natural resources center, the mission of which shall be to undertake research, restoration, and educational **activities in the Walker River Basin** relating to -

- (i) innovative agricultural water conservation;
- (ii) cooperative programs for environmental restoration;
- (iii) fish and wildlife habitat restoration; and
- (iv) wild horse and burro research and adoption marketing.

(2) In acquiring interests under paragraph (1)(A), the University of Nevada shall make acquisitions that the University determines are the most beneficial to -

(A) the establishment and operation of the agricultural and natural resources research center authorized under paragraph (1)(B); and

(B) environmental restoration in the **Walker River Basin**.

(b) (1) Using amounts made available under Section 2507 of the Farm and Security Rural Investment Act of 2002 ... , the Secretary shall provide not more than \$10,000,000 for a water lease and purchase program for the Walker River Paiute Tribe.

(2) Water acquired under paragraph (1) shall be --

(A) acquired only from willing sellers;

(B) designed to maximize water conveyances to Walker Lake; and

(C) located only within the Walker River Paiute Indian Reservation.

(c) Using amounts made available under Section 2507 of the Farm and Security Rural Investment Act of 2002 ... , the Secretary, acting through the Commissioner of Reclamation, shall provide --

(1) \$10,000,000 for tamarisk eradication, riparian area restoration, and channel restoration efforts within the Walker River Basin that are designed to enhance water delivery to Walker Lake, with priority given to activities that are expected to result in the greatest increased water flows to Walker Lake;

The BOR materials completely omit subsections (b) and (c) of Section 208.

The BOR materials also gloss over much of the express language of Section 208(a) of Public Law 109-103. Section 208(a)(2) directs that in acquiring interests under paragraph 1(a), the University shall:

"make acquisitions that [it] determines are most beneficial to -

- (A) the establishment and operation of the Agricultural and Natural Resources Research Center authorized under paragraph (1)(b); and
- (B) environmental restoration in the Walker River Basin."

A fair reading of Section 208(a)(1)(B) and Section 208(a)(2)(B) would suggest that the Research Center should not be some afterthought established after the University has exhausted available funding through fee acquisitions of water, but rather should be a resource established and used to not only guide acquisitions, but also to consider alternatives involving "innovative agricultural water conservation" and "cooperative programs for environmental restoration." See, Section 208(a)(1)(B)(i) and (ii).

The Notice of Intent and all of the BOR scoping materials attempt to disconnect the establishment, operation and purposes of the Agricultural and Natural Resources Research Center from the proposed action. However, the statute expressly requires a connection. Moreover, the Notice of Intent and the handout materials, without explanation, appear to conclude that environmental restoration in the Walker River Basin is limited to, and consists exclusively of, delivery of water to Walker Lake.

When the entire statutory scheme is considered, it is clear that the statement of purpose and need must be sufficiently broad to allow consideration of alternatives not heretofore identified by BOR. The statutory scheme clearly is concerned with the provision of water to Walker Lake and environmental restoration in the whole of the Walker River Basin. It also expressly recognizes alternatives for meeting those objectives which go beyond the simple acquisition of a fee interest in water rights.

For purposes of these comments, the District has used the following statement of purpose and need:

The purpose of the proposed action is to increase the annual average delivery of water to Walker Lake, and to sustain improved conditions over the long term, consistent with environmental restoration in the Walker River Basin.

The BOR must adopt a statement substantially similar to that one if it is to comply with 40 C.F.R. § 1502.13 and relevant case law, and if it is to develop an appropriate range of reasonable alternatives.

B. The Range of Alternatives.

1. Introduction.

Having developed an appropriate statement of purpose and need, we now turn our attention to the range of reasonable alternatives for attainment of those objectives. In relevant part, 40 C.F.R. § 1502.14 provides:

[A]gencies shall:

(a) Rigorously explore and objectively evaluate all reasonable alternatives

* * *

(c) Include reasonable alternatives not within the jurisdiction of the lead agency.

(d) Include the alternative of no action.

Selection of alternatives must foster informed decision-making. Although an infinite range of alternatives need not be considered, reasonable and feasible ones must be, and the existence of a viable, but unexamined, alternative will render an EIS inadequate. *Westlands*, 376 F.3d at 868; *City of Carmel*, 123 F.3d at 1155; *Resources Limited, Inc. v. Robertson*, 35 F.3d 1300, 1307 (9th Cir. 1993); *Headwaters, Inc. v. Bureau of Land Management*, 914 F.2d 1174, 1180 (9th Cir. 1990).

BOR's most recent public notice extending the period for scoping comments under the heading "Clarifications Based on Comments Received to Date" seems to foreclose consideration of acquisition alternatives in California, and any alternative which does not involve the acquisition of water rights. It appears that BOR believes it is not authorized to consider such alternatives because of the provisions of Section 208(a)(1) of Public Law 109-103. The provisions of 40 C.F.R. § 1502.14 requires an agency to "rigorously explore and objectively evaluate" all reasonable alternatives, including reasonable alternatives not within the jurisdiction of the lead agency. See also, 40 C.F.R. § 1508.25(b)(2). The fact that an alternative may require legislative action does not automatically justify excluding it from an EIS. See, e.g., *Natural Resources Defense Council, Inc. v. Morton*, 458 F.2d 827 (D.C. Cir. 1972); *City of Angoon v. Hodel*, 803 F.2d 1016, 1021-1022, n. 2 (9th Cir. 1986). Where a proposed action is part of a coordinated plan to deal with certain issues for which no programmatic EIS has been prepared, the need for legislative action does not justify exclusion of an alternative. Id.

Here, as is clear from the entire statutory scheme, Congress has already authorized alternatives other than fee acquisitions of water rights, and has encouraged "cooperative programs for environmental restoration." See, e.g., Section 2507(a)(1) of P.L. 107-171; Section 208(a)(1)(B)(ii), Section 208(b) and (c) of P.L. 109-103. The provisions of Section 208(a)(1) of Public Law 109-103 are part of a coordinated plan to deal with environmental issues in the Walker River Basin, for which plan no programmatic EIS has been prepared. In this situation, BOR may not construe the alternatives so narrowly that no EIS will address the environmental consequences of fundamental policy choices. Moreover, additional legislative action is in fact contemplated here. First, BOR's materials suggest that additional legislative action is contemplated at a minimum for purposes of requesting additional funding. Second, Senators Reid and Ensign and Congressman Heller have announced that they will in fact introduce additional legislation.

2. Reasonable Alternatives.

The District believes that the alternatives described below are reasonable, and should be rigorously evaluated in the EIS. They are alternatives which will increase the annual average delivery of water to Walker Lake, will aid in sustaining improved conditions over the long term, and are consistent with environmental restoration in the Walker River Basin. A rigorous and detailed evaluation of them will go a long way in "building public confidence in a fair environmental analysis and ultimately a fair decision making process." See, CEQ Memorandum.

(a) Sources of water.

There are several sources of water which may be available for delivery to Walker Lake. The sources include surface water in the Walker River Basin, underground water in basins near Walker Lake, and water from Mount Grant.

(b) Methods of Acquisition of Water.

Alternatives for acquiring water include fee acquisition of water rights, a leasing program, and exchanges. Although the relevant statutory scheme quite properly provides for voluntary participation, that does not mean that an acquisition program cannot be selective in its acquisitions. For example, acquisitions could target water rights appurtenant to land which has been, or in the near term will be, converted from agricultural to urban uses; water rights appurtenant to land which, by reason of its physical location, will allow for efficient delivery of water to Walker Lake, and water rights which minimize conflicts with existing water rights of third parties, and which will not decrease water delivery efficiencies.

A program involving the lease of water should be an alternative considered. Properly structured, such a program could ensure that funds spent result in the actual delivery of water, which a water right acquisition program cannot. It can also avoid many environmental, socioeconomic impacts and fiscal impacts, which a water right acquisition program cannot. Finally, if done in cooperation with the District, it could involve the use of District reservoirs for more efficient delivery of water to Walker Lake. In our judgment, a leasing program is the type of "cooperative program" which Congress in Section 208(a)(1)(B) mandated be considered through the Research Center which has been entirely and, in our opinion, unlawfully disconnected from the proposed action.

There are at least three (3) exchange alternatives to be considered. One would involve exchange of surface water for effluent from local sewage treatment plants. A second would involve exchange of Mt. Grant surface water for underground water. A third would be an exchange of surface water for geothermal effluent.

(c) Alternatives Not Involving Acquisition, Leasing or Exchange of Water.

There are a number of alternatives to increase the annual average delivery of water to Walker Lake which do not involve the acquisition, leasing or exchange of water. They include cloud seeding, which in conjunction with acquisition, leasing and exchange programs **will** result in the delivery of additional water to Walker Lake. Tamarisk eradication, riparian restoration and channel restoration as identified in Section 208(c) of P.L. 109-103 are also alternatives. Water conservation measures as identified in Section 208(a)(1)(B)(i) of P.L. 109-103 are also alternatives. Again, in that paragraph, Congress directed consideration through the Research Center of "innovative agricultural water conservation." That, too, has been entirely disconnected from the proposed action. Facilities for allowing "in-channel" delivery of natural floods should also be considered.

(d) Alternatives for Sustaining Improved Conditions Over the Long Term.

Because Walker Lake is a terminal lake, it will eventually reach a point when its conditions, albeit improved from implementation of the measures identified above, will again begin to deteriorate. Because the statement of purpose and need includes a purpose of sustaining improved conditions, the EIS needs to consider alternatives which may meet that objective.

Obviously, an alternative for sustaining improved conditions would be to begin anew the alternatives which brought about the improved conditions in the first instance. Additional alternatives include desalination and oxygenation at Walker Lake. Another alternative would be to remove from Walker Lake more saline water as water of higher quality enters the Lake.

V. Impacts and Effects of Alternatives.

As noted above, 40 C.F.R. § 1508.25(c) requires the EIS to consider "direct," "indirect" and "cumulative" impacts of the alternatives. The regulations provide further guidance on each of those impacts or effects. 40 C.F.R. § 1508.8 defines "effects and impacts" as follows:

Effects and impacts as used in these regulations are synonymous. Effects includes ecological (such as the effects on natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative. Effects may also include those resulting from actions which may have both beneficial and detrimental effects., even if on balance the agency believes that the effect will be beneficial.

Effects include:

(a) Direct effects, which are caused by the action and occur at the same time and place.

(b) Indirect effects, which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems.

40 C.F.R. § 1508.8.

40 C.F.R. § 1508.7 defines cumulative impact as follows:

"Cumulative impact" is the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

In the judgment of the District, the appropriate range of alternatives requires analysis in the EIS of a number of direct, indirect and cumulative impacts. Those include impacts on hydrology and water resources. There will be direct, indirect and cumulative impacts to surface flows, groundwater recharge, groundwater elevations and associated pumping costs, groundwater quality, reservoir levels and irrigation infrastructure, operation and efficiency. There will be numerous indirect effects related to land use and population.

There are numerous socioeconomic impacts which must be considered, including, without limitation, income impacts on businesses in each affected sector, employment impacts and social impacts in local communities, including changes in public services, fiscal impacts to state and local governments, including to cities, counties and the District. There is potential for similar fiscal impacts to ditch companies and individual farmers. These include impacts to the property tax, sales tax, and assessment base.

There are also impacts to recreation, scenery and aesthetics. There will be impacts to wildlife and wildlife habitat. These impacts should be considered throughout the Walker River Basin. Impacts resulting from the loss of irrigated agricultural lands also include impacts to wildlife and wildlife habitat, air quality, and noxious weed issues.

The analysis in the EIS should be sufficient to enable a full comparison of each of the alternatives and the impacts caused by each alternative against each of the other alternatives and the impacts of each. The analysis should include and define the criteria used to determine whether or not a particular impact is significant. In every case where an impact is significant, mitigation measures should be proposed.

To the extent that sustaining improved conditions is within the statement of purpose and need, the impacts of alternatives for avoiding the inevitable deterioration of conditions in Walker Lake must be considered and analyzed.

VI. OTHER ISSUES, QUESTIONS AND SUGGESTIONS.

A. Potential Outcomes of Pending Litigation.

The Walker River is a single integrated system. As you are aware, there is litigation pending which seeks to establish the rights to additional water for the Walker River Indian Reservation and other federal facilities and establishments throughout the Walker River Basin. We question whether there can be an adequate analysis of alternatives for increasing annual average delivery of water to Walker Lake, and for sustaining the improved conditions and, in particular, analysis of the proposed action, given the fact that the outcome of that litigation may materially affect the value both economically and environmentally of alternatives implemented before the litigation is resolved. This problem should be considered and addressed at this time. Consideration should be given to deferring this proposed action until the proposed additional legislation which is intended to resolve this litigation either will or will not become a reality.

B. Type of EIS.

At this time, BOR should provide information on whether the EIS will be programmatic, project specific, or both. Given the facts that BOR acknowledges that present funding is insufficient for the proposed action, and that options to acquire water have been executed, there is no reason why project specific analysis cannot be included.

C. Cooperating Agencies and a Scoping Report.

BOR should also identify who will be cooperating agencies. BOR should respond to all comments raised in the scoping process through a scoping report.

D. Geographic Limitations.

In its recent notice extending the comment period, BOR stated that "acquisitions are to occur in the Walker River Basin in Nevada only." BOR should be aware that rights to stored water held by the District and used in Nevada are California water rights. Without conceding that stored water rights may be part of any alternative, including the proposed action, the District suggests further analysis of this "Nevada only" issue, along with consideration of the need to comply with the California Environmental Quality Act. Moreover, BOR should consider whether there is any impediment to the Section 208(a)(1) funding being used on the Walker River Indian Reservation, particularly in connection with a cooperative leasing program.

E. Data.

The EIS should not rely solely on recent hydrologic data for purposes of analyzing the environmental impacts of alternatives both with respect to impacts at Walker Lake and elsewhere. The Thomas study which is referenced in the BOR scoping materials is based upon an assumption of a continuation of 1939-1993 hydrologic conditions. The one fact that is certain here is that future hydrologic conditions **will not** mirror those of 1939-1993. It is generally accepted that climate change is a reality. The United States Environmental Protection Agency has devoted an entire website to this topic. See, www.epa.gov/climatechange. To be adequate, the EIS must take climate change into account in considering the purpose of the proposed action, including its attainability and its sustainability, in considering alternatives and in considering impacts.

Sincerely,



Gordon H. DePaoli

GHD:hd

cc: Ken Spooner

EXHIBIT "A"

to

**Walker River Irrigation District
December 10, 2007 Letter to Bureau of Reclamation**

1. Eddie R. Snyder
2. Nevada Farm Bureau
3. James Sanford
4. Lura Weaver
5. Hon. Tom Grady, Assemblyman, Dist. No. 38
6. Bolton F. Minister
7. Judith Price
8. Tom Price
9. Garms Family, Packet

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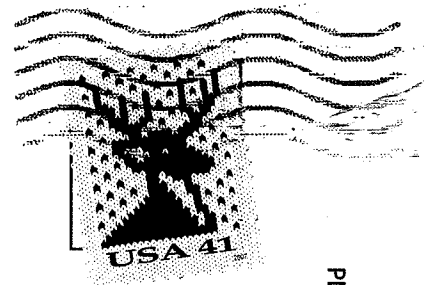
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BUREAU OF RECLAMATION
Lahontan Basin Area Office



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Lahontan Basin Area Office
U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

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US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION
WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS
LAHONTAN BASIN AREA OFFICE, NEVADA

Public Comment Card

Please use this comment card to submit input regarding the Walker River Basin Acquisition Program and the Environmental Impact Statement (EIS). Please include any sources of relevant data or information that you feel may enhance this document. Comments must be received by **November 26, 2007**.

Comments can be submitted in the following ways:

1. Turn in today at the Public Meeting; or
2. By US Mail addressed to Mrs. Caryn Hunt DeCarlo, Lahontan Basin Area Office, U.S. Department of Interior, Bureau of Reclamation, 705 N. Plaza St., Room 320, Carson City, NV 89701; or
3. By E-mail to chunttdecarlo@mp.usbr.gov; or
4. By Fax to (775) 884-8376; or
5. If you have questions regarding the EIS or the process, please call Caryn Hunt DeCarlo at (775) 884-8352.

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PLEASE PRINT LEGIBLY

Name: _____

Affiliation (if any): _____

Street Address: _____

City, State, Zip: _____ Date: _____

Comments: (Comments may be continued on the back or a separate sheet.)

Comments must be received by November 26, 2007

Russ:

The return on this was

"DMB

Walker Lake"

To Whom It May Concern:

Foremost we want to preserve Walker Lake. Water is one of the most valuable resources of the State of Nevada. We do not want the Lake to turn in to another Mono Lake, CA or Owens Lake, CA.

The water available should be sufficient to satisfy the needs of all users in the Walker Lake Basin. Primary to accomplish this is accurate measurements for all diversions and wells to account for and police the users of water. No user should be able to use more than his or her allotment!

As a resident of the Walker Lake community I do not want the bed and banks of Walker Lake Community given to the Walker River Paiute Indian Tribe. We would like to see the Tribe take the bed and banks from the existing reservation down to and including Sportsman Park. Further we do not want any of the existing water rights of the Walker Lake Water G.I.D. to be involved in this transaction.

The following are important issues involved; I have circled the issues that are of interest to me personally:

- ① Preserve Walker Lake as a recreation area for all people now and in the future.
- ② Preserve the existing water rights of the Walker Lake Water G.I.D.
- ③ Exclude the bed and banks of the Walker Lake Community being given back to the Walker River Paiute Tribe. *we need it*
- ④ Enforce and Monitor all water diversions and water wells to make sure no user receives more than their allotment.
- ⑤ Federal financing for development of ground water sources in the Hawthorne Army Depot Lands for either drinking water or to help maintain the level of Walker Lake.
- ⑥ A co-coordinated study to provide solutions to meet the legal requirements for fire fighting and emergency services to rural communities.
7. Waste Water Treatment Plants for Hawthorne and Walker Lake to help preserve Walker Lake water quality.
8. Exclude the residents of Mineral County from being charged by the Walker River Paiute Tribe for using Walker Lake: Camping, Fishing, Boat Permits etc.
- ⑨ Financial funding to improve the flow of water in the Walker River. Remove vegetation that consumes large quantities of water. Make necessary improvements to irrigation ditches to prevent water losses.

Caryn HuntDeCarlo - walker water grab

From: <jtdunlap@2dunlap.com>
Date: 12/10/2007 10:21 AM
Subject: walker water grab

as a water right holder in Mason Valley i would like you to perform a ver complete eis on saving walker lake through taking private property for such doomed to fail project. as you know walker lake is the remains pf the great lake lahontan. maybe your plans ae to save that lake as well. please adhere to your oath th uphold the constitution and back off your water grab for political gain. jim dunlap

US DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION
WALKER RIVER BASIN ACQUISITION PROGRAM AND EIS
LAHONTAN BASIN AREA OFFICE, NEVADA

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3. By E-mail to chunttdecarlo@mp.usbr.gov; or
4. By Fax to (775) 884-8376; or
5. If you have questions regarding the EIS or the process, please call Caryn Hunt DeCarlo at (775) 884-8352.

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PLEASE PRINT LEGIBLY

Name: Edward Ellis

Affiliation (if any): _____

Street Address: 187 Cliff House Rd #8

City, State, Zip: Walker Lake, Nv. 89415 Date: 11-28-07

Comments: (Comments may be continued on the back or a separate sheet.)

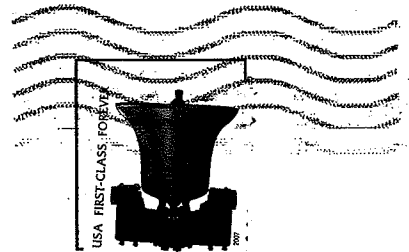
Comments must be received by November 26, 2007

Return Address:

EDWARD ELLIS
187 CLIFF HOUSE RD #8
WALKER LAKE, NV
89415

RENO NV 895

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Lahontan Basin Area Office
U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

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Lahontan Basin Area Office

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PLEASE PRINT LEGIBLY

Name: Evelyn ELLIS

Affiliation (if any): _____

Street Address: 187 Cliff House Rd #8

City, State, Zip: WALKER LAKE, NV 89415 Date: 11/21/07

Comments: (Comments may be continued on the back or a separate sheet.)

WALKER LAKE IS SUCH AN ASSET
to MINERAL County and NEVADA
we must do everything possible
to Preserve it and the wild life in
AND AROUND it.

Comments must be received by November 26, 2007

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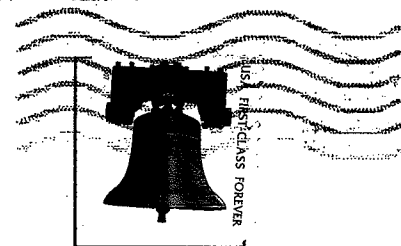
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Return Address:

Evelyn Ellis
187 Cliff House Rd #8
Walker Lake
Nv 89415

RENO NV 895

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Lahontan Basin Area Office
U.S. Department of Interior
Bureau of Reclamation
ATTN: Mrs. Caryn Hunt DeCarlo
705 N. Plaza St., Room 320
Carson City, NV 89701

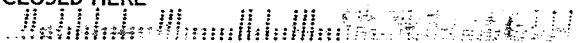
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Lahontan Basin Area Office

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To Whom It May Concern:

Foremost we want to preserve Walker Lake. Water is one of the most valuable resources of the State of Nevada. We do not want the Lake to turn in to another Mono Lake, CA or Owens Lake, CA.

The water available should be sufficient to satisfy the needs of all users in the Walker Lake Basin. Primary to accomplish this is accurate measurements for all diversions and wells to account for and police the users of water. No user should be able to use more than his or her allotment!

As a resident of the Walker Lake community I do not want the bed and banks of Walker Lake Community given to the Walker River Paiute Indian Tribe. We would like to see the Tribe take the bed and banks from the existing reservation down to and including Sportsman Park. Further we do not want any of the existing water rights of the Walker Lake Water G.I.D. to be involved in this transaction.

The following are important issues involved; I have circled the issues that are of interest to me personally:

- 1. Preserve Walker Lake as a recreation area for all people now and in the future.**
- 2. Preserve the existing water rights of the Walker Lake Water G.I.D.**
- 3. Exclude the bed and banks of the Walker Lake Community being given back to the Walker River Paiute Tribe.**
- 4. Enforce and Monitor all water diversions and water wells to make sure no user receives more than their allotment.**
- 5. Federal financing for development of ground water sources in the Hawthorne Army Depot Lands for either drinking water or to help maintain the level of Walker Lake.**
- 6. A co-coordinated study to provide solutions to meet the legal requirements for fire fighting and emergency services to rural communities.**
- 7. Waste Water Treatment Plants for Hawthorne and Walker Lake to help preserve Walker Lake water quality.**
- 8. Exclude the residents of Mineral County from being charged by the Walker River Paiute Tribe for using Walker Lake: Camping, Fishing, Boat Permits etc.**
- 9. Financial funding to improve the flow of water in the Walker River. Remove vegetation that consumes large quantities of water. Make necessary improvements to irrigation ditches to prevent water losses.**